



Moses Lake City Council

Todd Voth, Mayor | Karen Liebrecht, Deputy Mayor | Bill Ecret, Council Member | Ryann Leonard, Council Member | Dr. David Curnel, Council Member | Don Myer, Council Member | Mike Norman, Council Member

January 26, 2016 – 7:00 pm

City Council Meeting Agenda

Call to Order – 7:00 pm

Roll Call

Pledge of Allegiance

Citizen's Communications – Identification

Citizens who would like to address the council during Citizen's Communication or during a Public Hearing, should complete one of the blue speaker request cards and submit it to the Executive Secretary. Citizen Communications is a time in which you may address Council on any topic RELATED TO CITY MATTERS that is not already on tonight's agenda. Any public hearings that are noted on tonight's agenda will be announced when opened.

Presentations and Awards

Employee presentation from the ML Police Department, Community Development, and Public Works Department

Consent Agenda

All items listed below are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests specific items to be removed from the Consent Agenda for discussion prior to the time Council votes on the motion to adopt the Consent Agenda.

#1

- a. Approval of Minutes – January 12, 2016
- b. Approval Bills and Checks Issued

Commission Appointments

Consideration of Bids & Quotes

Petitions/Communications/Public Hearings

#2

- a. Public Hearing – Establish Water Use Efficiency Goals – 1st Reading

Ordinances/Resolutions

#3

- a. Ordinance – Amend MLMC 18.20 Residential Zones – 1st Reading

Request to Call for Bids

Referrals from Commissions

Other Items for Council Consideration

#4

- a. Grant County Economic Development Council Board of Directors - ML City Council Representative
- b. Request to Connect to City Sewer - Nakonechnyy
- c. Platting Deemed Insufficient – 621 Ewing Pl
- d. Platting Deemed Insufficient – 721 Ironwood

Public Questions/Comments – Non-Agenda Items

Council Communications

City Manager Reports

Executive Session

Adjournment

MOSES LAKE CITY COUNCIL
January 12, 2016

DRAFT

Council Present: Bill Ecret, Karen Liebrecht, Todd Voth, David Curnel, Don Myers, Mike Norman, and Ryann Leonard

The meeting was called to order at 7 p.m. by Karen Liebrecht.

PLEDGE OF ALLEGIANCE: Mike Norman led the Council in the flag salute.

OATH OF OFFICE

New Council members Don Myers, Mike Norman, and Ryann Leonard were sworn in.

ELECTION OF MAYOR/DEPUTY MAYOR

Action Taken: Mr. Voth moved that a Mayor Pro Tem be selected for the selection of a Mayor, seconded by Mrs. Leonard, and passed with Mrs. Liebrecht and Dr. Curnel opposed.

Mr. Voth nominated Mr. Ecret as Mayor Pro Tem, seconded by Mrs. Leonard and passed with Mrs. Liebrecht and Dr. Curnel opposed.

Action Taken: Mrs. Leonard moved that the previous resolution on the process for selection of Mayor and Deputy Mayor be reviewed, seconded by Mr. Norman.

Mrs. Liebrecht wanted to know what issues need to be reviewed.

Mrs. Leonard felt there was a conflict between the process in the resolution and state law.

The motion passed with Mrs. Liebrecht and Dr. Curnel opposed.

Mrs. Leonard pointed out that the existing resolution does not address how to deal with multiple nominations where seniority is equal and also felt that a minimum experience clause should be included and that the provision that a Council member can only be elected once as Mayor be eliminated.

Action Taken: Mrs. Leonard moved that Resolution 3584 be rescinded, seconded by Mr. Norman.

Mrs. Liebrecht felt that after a Council member who has been the Mayor becomes a better Council member and is more approachable. She also felt that if one person remains Mayor for a considerable time, the perception of his or her position changes in the minds of the citizens. She pointed out that the Mayor runs the meeting, sets the agenda, and makes public appearances and there is no power involved. She was not in favor of rescinding the portion of the resolution that sets the rotation of the Mayor.

The motion passed with Mrs. Liebrecht and Dr. Curnel opposed.

Action Taken: Mrs. Leonard moved that the proposed resolution provided be amended to delete Recital 1 and Resolved 1 and 4 and that the vote be taken by ballot and that the ballots be read, seconded by Mr. Myers.

There was considerable discussion on the process.

Action Taken: The motion passed with Mrs. Liebrecht and Dr. Curnel opposed.

Nominations for Mayor

Dr. Curnel nominated Mrs. Liebrecht for Mayor.

Mr. Norman nominated Mr. Voth for Mayor

The nominations were closed.

W. Robert Taylor, Finance Director read the ballots and Mr. Voth was elected Mayor.

For Mr. Voth - Mr. Norman, Mr. Ecret, Mrs. Leonard, and Mr. Voth
For Mrs. Liebrecht - Dr. Curnel, Mr. Myers, and Mrs. Liebrecht

Mr. Voth was sworn in as Mayor.

Nominations for Deputy Mayor

Mrs. Liebrecht nominated Dr. Curnel for Deputy Mayor.

Mrs. Leonard nominated Mrs. Liebrecht for Deputy Mayor.

Mr. Voth nominated Mr. Ecret as Deputy Mayor.

The nominations were closed.

W. Robert Taylor, Finance Director read the ballots and Mrs. Liebrecht was elected Deputy Mayor.

For Mrs. Liebrecht - Mr. Myers, Mrs. Leonard, and Dr. Curnel
For Mr. Ecret - Mr. Ecret and Mr. Voth, and Mr. Norman
For Dr. Curnel - Mrs. Liebrecht

There was no majority vote for Deputy Mayor and a second vote was required.

Mrs. Liebrecht was elected Deputy Mayor.

For Mrs. Liebrecht - Mr. Myers, Mrs. Leonard, Dr. Curnel, Mr. Norman
For Mr. Ecret - Mr. Ecret and Mr. Voth
For Dr. Curnel - Mrs. Liebrecht

CITIZEN COMMUNICATION

Bruce Bailey, Moses Lake Farmer's Market, stated that they raised the funds for the 2015 fireworks display and would like to again sponsor the 2016 fireworks display. He suggested that the fireworks display take place on Saturday, July 2 and that it include food and a concert. He stated that they would like to create a destination style fireworks display, which would cost about \$25,000, that would draw in more people.

It was the consensus of the Council that staff work with the Farmer's Market on the 4th of July fireworks display.

PRESENTATION AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the December 22 meeting were presented for approval.

Approval of Claims, Prepaid Claims, Checks, and Payroll: Vouchers audited and certified by the Finance Director as required by RCW 42.24.080, and those expense reimbursement claims, certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the Council for approval and is retained for public inspection at the Civic Center. As of January 12, 2016 the Council does approve for payment claims in the amount of \$680,732.18; prepaid claims in the amounts of \$136,008.84, \$561,151.77, and \$14,482.87; claim checks in the amount of \$1,878,172.35; and payroll in the amounts of \$4,356.75 and \$303,159.07.

Water Efficiency Goals: It was recommended that a public hearing be set for January 26, 2016 for public input on establishing the City's water efficiency goals.

Industrial Zones: It was recommended that a public hearing be set for January 26 to consider a amendment to the Heavy Industrial Zone to allow surface mining.

Resolution - Accept Easement - Bernhardt: A resolution was presented which accepts an easement from William, Deena, and Scott Bernhardt for an activity trail adjacent to Lots 10 - 14, Bernhardt Major Plat.

Sun Terrace Major Plats 2 and 4 - Alterations: Aho Construction submitted requests to alter the approved Sun Terrace No. 2 and No. 4 Preliminary Plats by moving the boundary between the two plats one hundred feet (11') north, moving the west boundary of No. 2 one hundred feet west, increase No. 2 from 25 to 32 lots; reduce No. 4 from 41 to 28 lots, change lot sizes; and increase the size of the public park.

Action Taken: Mrs. Leonard moved that the Consent Agenda be approved, seconded by Mrs. Liebrecht, and passed unanimously.

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS - None

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 2015 BUDGET - 2ND READING

An ordinance amending the 2015 budget was presented.

The ordinance amending the 2015 budget for the City of Moses Lake, Washington, was read by title only.

Action Taken: Mr. Ecret moved that the second reading of the ordinance be adopted, seconded by Mr. Myers, and passed unanimously.

ORDINANCE - TAX LEVY - SINGLE READING

An ordinance fixing the estimated amount to be received fro municipal purposes from taxations on assessed valuations on property within the City of Moses Lake, Washington for 2016 was read by title only.

Action Taken: Mr. Norman moved that an emergency be declared and the ordinance be adopted on a single reading, seconded by Mrs. Liebrecht, and passed unanimously.

RESOLUTION - ACCEPT DONATION - WALMART

A resolution was presented which accepts \$2,500 from Walmart for fire prevention activities.

The resolution accepting a donation to the Moses Lake Fire Department was read by title only.

Action Taken: Mr. Ecret moved that the resolution be adopted, seconded by Dr. Curnel, and passed unanimously.

RESOLUTION - ACCEPT DONATION - FRIENDS OF THE MOSES LAKE DOG PARK

A resolution was presented which accepts \$2,000 from the Friends of the Moses Lake Dog Park. The funds will be used for the purchase of benches, picnic tables, and kiosks for the Moses Lake Dog Park.

The resolution accepting a cash donation of \$2,000 from Friends of the Moses Lake Dog Park was read by title only.

Action Taken: Mrs. Leonard moved that the resolution be adopted, seconded by Mr. Norman, and passed unanimously.

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

DISABILITY BOARD - APPOINTMENT

Two members of the City Council serve on the Moses Lake LEOFF 1 Disability Board. These are two year terms and one of the position is now vacate. The term would expire on June 30, 2017.

Action Taken: Mr. Norman moved that Mrs. Leonard be appointed to the Moses Lake LEOFF 1 Disability Board, seconded by Mr. Myers, and passed unanimously.

GRANT TRANSIT AUTHORITY

The Grant Transit Authority requested the appointment of a representative from the City Council to serve on their Board of Directors for the year 2016.

Action Taken: Mrs. Liebrecht moved that Mr. Myers be appointed to serve on the Board, seconded by Mr. Norman, and passed unanimously.

ANNEXATION - NORTHWEST UNITED PROPERTIES

Northwest United Properties submitted a Notice of Intent to Commence Annexation and a Petition for Annexation to include a portion of Farm Unit 124, Irrigation Block 41 in the City's limits. In October the Council granted permission for hunting of geese within the City's limits due to the damage they were causing to the crop on property within the City's limits.

Gilbert Alvarado, Community Development Director, recommended that the Council receipt and accept the Notice on Intent and accept the Petition.

Action Taken: Mr. Ecret moved that the Notice of Intent to Commence Annexation be receipted and accepted and the Petition for Annexation be accepted, seconded by Dr. Curnel, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

COUNCIL QUESTIONS AND COMMENTS - None

CITY MANAGER REPORTS AND COMMENTS

STUDY SESSIONS

John Williams, City Manager, stated that study sessions need to be set to discuss the Governance Manual and set some priorities and goals and to work on the budget.

There was some discussion on dates for study sessions.

It was the consensus of the Council that a study session be set for January 19 at 6 p.m.

EXECUTIVE SESSION

The regular meeting was adjourned at 8:09 p.m. and the Council met in a 15 minute executive session with the City Attorney under RCW 42.30.110(1)(G) and (I) to discuss potential litigation and to review the performance of a public employee and with potential action to follow.

The executive session was adjourned at 8:27 p.m. and the regular meeting was reconvened.

CITY MANAGER CONTRACT

An amendment to the employment agreement with the City Manager was presented. The amendment would waive the requirement that the City Manager reside within the city limits.

Action Taken: Dr. Curnel moved that the amendment be approved seconded by Mrs. Liebrecht, and passed unanimously.

The regular meeting was adjourned at 8:28 p.m.

ATTEST

Todd Voth, Mayor

W. Robert Taylor, Finance Director

DATE 1/21/16
TIME 10:16:05

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
BROWN & BROWN OF WASHINGTON	00001703	0000076080	1,838.00	AIRPORT LIABILITY INSURANCE
		TOTAL:	1,838.00	
PUD OF GRANT COUNTY	00001501	0000076124	1,339.88	ELECTRIC SERVICE
		0000076124	20.06	ELECTRIC SERVICE
		0000076124	473.36	ELECTRIC SERVICE
		0000076124	189.69	ELECTRIC SERVICE
		0000076124	1,006.03	ELECTRIC SERVICE
		0000076124	28.80	ELECTRIC SERVICE
		0000076124	2,963.14	ELECTRIC SERVICE
		0000076124	23.18	ELECTRIC SERVICE
		0000076124	1,357.63	ELECTRIC SERVICE
		0000076124	375.39	ELECTRIC SERVICE
		0000076124	69.96	ELECTRIC SERVICE
		0000076124	177.85	ELECTRIC SERVICE
		0000076124	26.15	ELECTRIC SERVICE
		0000076124	1,856.95	ELECTRIC SERVICE
		0000076124	274.95	ELECTRIC SERVICE
		0000076124	2,388.07	ELECTRIC SERVICE
		0000076124	17,299.59	ELECTRIC SERVICE
		0000076124	15,145.59	ELECTRIC SERVICE
		0000076124	179.48	ELECTRIC SERVICE
		0000076124	3,323.82	ELECTRIC SERVICE
		0000076124	1,105.49	ELECTRIC SERVICE
		0000076124	1,494.17	ELECTRIC SERVICE

DATE 1/21/16
TIME 10:16:05

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		0000076124	2,990.21	ELECTRIC SERVICE
		TOTAL:	54,109.44	
UMPQUA BANK	00007077	0000076078	102.65	MISC SUPPLIES
		0000076076	60.00	REGIS/COMPUTER SUPPLIES
		0000076142	42.96	BOOKS
		0000076142	993.32	BOOKS
		0000076094	49.99	CREDIT CARD / DECEMBER
		0000076030	44.19	OFFICE SUPPLIES
		0000076030	142.62	OFFICE SUPPLIES
		0000076107	19.93	TRAVEL EXPENSE-GAUCC MEETING
		0000076042	61.48	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	218.63	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	21.58	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	1,058.20	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	127.40	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	100.00	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	25.83	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	58.60	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	35.35	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	190.00	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	68.87	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	237.38	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	83.45	SUPPLIES/SUBSISTENCE/RESALE
		0000076028	250.00	MISCELLANEOUS

DATE 1/21/16
TIME 10:16:05

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		0000076028	75.22	MISCELLANEOUS
		0000076028	155.51	MISCELLANEOUS
		0000076094	86.53	CREDIT CARD / DECEMBER
		0000076096	266.91	CREDIT CARD / DECEMBER
		0000076096	65.26	CREDIT CARD / DECEMBER
		0000076028	63.88	MISCELLANEOUS
		0000076095	267.59	CREDIT CARD / DECEMBER
		0000076042	950.00	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	919.84	SUPPLIES/SUBSISTENCE/RESALE
		0000076042	693.65	SUPPLIES/SUBSISTENCE/RESALE
		0000076107	14.26	TRAVEL EXPENSE-GAUCC MEETING
		0000076094	81.15	CREDIT CARD / DECEMBER
		0000076104	181.05	CREDIT CARD / DECEMBER
		0000076076	634.59	REGIS/COMPUTER SUPPLIES
		0000076076	20.00	REGIS/COMPUTER SUPPLIES
		0000076076	350.06	REGIS/COMPUTER SUPPLIES
		0000076148	126.72	FUEL FOR VEHICLE
		TOTAL:	8,944.65	
		REPORT TOTAL:	64,892.09	

DATE THU, JAN 21, 2016, 10:16 AM
TIME 10:16:09

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

TOTALS BY FUND

FUND NO	FUND NAME	AMOUNT
000	GENERAL FUND	14,549.93
103	GRANTS AND DONATIONS	2,894.96
116	STREET	2,663.02
410	WATER/SEWER	32,459.44
495	AIRPORT	2,017.48
498	AMBULANCE FUND	262.20
517	CENTRAL SERVICES	1,004.65
519	EQUIPMENT RENTAL	126.72
528	BUILD MAINTENANCE	8,913.69
	TOTAL	64,892.09

CHANGES TO BE MADE SHOULD BE LISTED BELOW

VEND NO.	P.O. NO.	AMT LISTED	CORRECTED AMT	ACTION TO BE TAKEN
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CORRECT AMOUNT TO BE PAID

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* CLAIMS APPROVAL *
*
* WE, THE UNDERSIGNED COUNCILMEN OF THE CITY OF MOSES LAKE, WASHINGTON, DO HEREBY CERTIFY THAT THE MERCHANDISE *
* OR SERVICES SPECIFIED HAVE BEEN RECEIVED AND THAT ABOVE CLAIMS ARE APPROVED, AS NOTED, FOR PAYMENT *
* IN THE AMOUNT OF \$64,892.09 THIS 26TH DAY OF JANUARY, 2016 *
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* *
* COUNCIL MEMBER COUNCIL MEMBER *
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* *
* COUNCIL MEMBER FINANCE DIRECTOR *

DATE 1/15/16
TIME 13:19:09

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
=====				
DATABAR	00007974	0000076077	443.45	MAIL UTILITY BILLS
		0000076077	443.45	MAIL UTILITY BILLS
		0000076077	443.45	MAIL UTILITY BILLS
		0000076077	443.45	MAIL UTILITY BILLS
		0000076077	443.45	MAIL UTILITY BILLS
		=====		
		TOTAL:	2,217.25	
HOME DEPOT CREDIT SERVICES	00007824	0000076074	125.98	MISC SUPPLIES
		0000076074	6.45	MISC SUPPLIES
		0000076074	91.11	MISC SUPPLIES
		0000076074	504.89	MISC SUPPLIES
		0000076074	16.16	MISC SUPPLIES
		=====		
		TOTAL:	744.59	
LOWES	00003886	0000076075	91.89	MISC SUPPLIES
		0000076075	148.09	MISC SUPPLIES
		0000076075	200.54	MISC SUPPLIES
		=====		
		TOTAL:	440.52	
UNITED PARCEL SERVICE	00005456	0000076079	92.80	SHIPPING CHARGES
		0000076079	16.12	SHIPPING CHARGES
		=====		
		TOTAL:	108.92	
		=====		
		REPORT TOTAL:	3,511.28	

DATE FRI, JAN 15, 2016, 1:19 PM
TIME 13:19:11

TOTALS PAGE
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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

TOTALS BY FUND

FUND NO	FUND NAME	AMOUNT
000	GENERAL FUND	675.42
410	WATER/SEWER	893.35
490	SANITATION	443.45
493	STORM WATER	443.45
498	AMBULANCE FUND	443.45
519	EQUIPMENT RENTAL	91.11
528	BUILD MAINTENANCE	521.05
	TOTAL	3,511.28

CHANGES TO BE MADE SHOULD BE LISTED BELOW

VEND NO.	P.O. NO.	AMT LISTED	CORRECTED AMT	ACTION TO BE TAKEN
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CORRECT AMOUNT TO BE PAID

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* CLAIMS APPROVAL *
*
* WE, THE UNDERSIGNED COUNCILMEN OF THE CITY OF MOSES LAKE, WASHINGTON, DO HEREBY CERTIFY THAT THE MERCHANDISE *
* OR SERVICES SPECIFIED HAVE BEEN RECEIVED AND THAT ABOVE CLAIMS ARE APPROVED, AS NOTED, FOR PAYMENT *
* IN THE AMOUNT OF \$3,511.28 THIS 26TH DAY OF JANUARY, 2016 *
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* *
* COUNCIL MEMBER COUNCIL MEMBER *
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* *
* COUNCIL MEMBER FINANCE DIRECTOR *

DATE 1/22/16
TIME 10:07:24

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
A & H PRINTERS	00000001			
		0000076118	107.63	BUSINESS LICENSE LETTERS
		0000076141	80.93	BUS CARDS KEVIN MYRE
		0000076027	45.32	PRINTING
		=====		
		TOTAL:	233.88	
A S C A P	00004117			
		0000076057	336.00	2016 CONCERT LICENSE FEE
		=====		
		TOTAL:	336.00	
ADAM MUNRO	00004799			
		0000076026	159.95	UNIFORMS
		=====		
		TOTAL:	159.95	
ARCADIA PUBLISHING	00003841			
		0000076135	396.69	MAC RESALE
		=====		
		TOTAL:	396.69	
ARIKA LOEFFLER	00006430			
		0000076143	152.00	KINDERMUSIK INSTRUCTION
		=====		
		TOTAL:	152.00	
ASSOC OF WASHINGTON CITIES	00000006			
		0000076117	15,311.00	2016 MEMBERSHIP FEE
		=====		
		TOTAL:	15,311.00	
AWC/WORKERS COMP RETRO PROG	00005796			
		0000076125	17.98	WORKERS COMP SERVICE FEE
		0000076125	54.00	WORKERS COMP SERVICE FEE
		0000076125	107.99	WORKERS COMP SERVICE FEE
		0000076125	707.94	WORKERS COMP SERVICE FEE
		0000076125	1,319.89	WORKERS COMP SERVICE FEE
		0000076125	5,243.59	WORKERS COMP SERVICE FEE
		0000076125	3,941.69	WORKERS COMP SERVICE FEE
		0000076125	3,029.76	WORKERS COMP SERVICE FEE
		0000076125	581.95	WORKERS COMP SERVICE FEE
		0000076125	1,175.91	WORKERS COMP SERVICE FEE

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		0000076125	1,235.90	WORKERS COMP SERVICE FEE
		0000076125	227.98	WORKERS COMP SERVICE FEE
		0000076125	83.99	WORKERS COMP SERVICE FEE
		0000076125	24.00	WORKERS COMP SERVICE FEE
		0000076125	431.97	WORKERS COMP SERVICE FEE
		0000076125	3,029.76	WORKERS COMP SERVICE FEE
		0000076125	36.00	WORKERS COMP SERVICE FEE
		0000076125	419.97	WORKERS COMP SERVICE FEE
		0000076125	1,061.92	WORKERS COMP SERVICE FEE
		=====		
		TOTAL:	22,732.19	
B M I	00007537			
		0000076047	336.00	2016 CONCERT LICENSE FEE
		=====		
		TOTAL:	336.00	
BASIN LOCK & SECURITY	00003714			
		0000076021	80.93	ALARM REPAIR
		0000076023	480.00	ALARM MONITORING
		=====		
		TOTAL:	560.93	
BASIN SEPTIC SERVICES	00000166			
		0000076035	388.46	SEPTIC SERVICE
		=====		
		TOTAL:	388.46	
BATTERY SYSTEMS	00004673			
		0000076108	325.47	BATTERIES
		=====		
		TOTAL:	325.47	
BEE LINE FRAME AND AXLE INC	00000109			
		0000076043	107.63	FRONT END ALIGNMENT
		=====		
		TOTAL:	107.63	
BOUND TREE MEDICAL LLC	00006022			
		0000076100	137.93	WELLNESS & MEDICAL SUPPLIES
		0000076100	2,020.18	WELLNESS & MEDICAL SUPPLIES
		=====		
		TOTAL:	2,158.11	
BUD CLARY FORD	00006454			
		0000076044	35.92	SCREEN ASSY

DATE 1/22/16
TIME 10:07:24

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 01/26/2016

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		TOTAL:	35.92	
CALFIRST NATIONAL BANK	00004003	0000076090	5,098.77	#38A LEASE PYMT/2016
		0000076090	99.43	#38A LEASE PYMT/2016
		0000076090	147,496.41	#38A LEASE PYMT/2016
		0000076090	2,886.37	#38A LEASE PYMT/2016
		TOTAL:	155,580.98	
CASCADE FIRE CORPORATION	00003644	0000076099	604.24	AIR TESTING
		0000076045	72.11	E-ONE GAUGE
		TOTAL:	676.35	
CASCADE NATURAL GAS CORP	00000203	0000076137	201.81	SNS GAS USAGE
		0000076121	1,055.43	NAT GAS SERVICE
		0000076121	1,274.86	NAT GAS SERVICE
		TOTAL:	2,532.10	
CEDAR STREET CLEANERS	00004655	0000076025	474.21	
		TOTAL:	474.21	
CHAMBER OF COMMERCE	00002627	0000076119	5,500.00	ANNUAL MEMBER INVESTMENT
		TOTAL:	5,500.00	
CHASE PAYMENTECH-EFT	00004046	0000076154	30.00	CREDIT CARD FEES
		0000076154	700.09	CREDIT CARD FEES
		0000076154	700.08	CREDIT CARD FEES
		0000076154	700.08	CREDIT CARD FEES
		0000076154	700.13	CREDIT CARD FEES
		0000076154	700.09	CREDIT CARD FEES
		TOTAL:	3,530.47	
CITY OF MOSES LAKE	00008107			

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		0000076147	.18	EXCISE TAX
		0000076147	39.41	EXCISE TAX
		0000076147	71.20	EXCISE TAX
		0000076147	.16	EXCISE TAX
		0000076147	3.64	EXCISE TAX
		0000076147	2.60	EXCISE TAX
		=====		
		TOTAL:	117.19	
00008201		0000076126	571.08	WATER SERVICE
		=====		
		TOTAL:	571.08	
00008107		0000076147	17.02	EXCISE TAX
		0000076147	.98	EXCISE TAX
		0000076147	2.42	EXCISE TAX
		0000076147	12.55	EXCISE TAX
		0000076147	1.17	EXCISE TAX
		0000076147	.42	EXCISE TAX
		=====		
		TOTAL:	34.56	
00008201		0000076126	881.35	WATER SERVICE
		=====		
		TOTAL:	881.35	
00008107		0000076147	16,909.49	EXCISE TAX
		0000076147	6,704.23	EXCISE TAX
		0000076147	2,567.61	EXCISE TAX
		0000076147	15,443.10	EXCISE TAX
		0000076147	1,067.44	EXCISE TAX
		0000076147	2,829.75	EXCISE TAX
		0000076147	4.43	EXCISE TAX

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CITY OF MOSES LAKE
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
CITY OF MOSES LAKE	00008107	0000076147	5.46	EXCISE TAX
		0000076147	3.68	EXCISE TAX
		=====		
		TOTAL:	45,535.19	
	00008201	0000076126	159.40	WATER SERVICE
		=====		
		TOTAL:	159.40	
COBIES FINE DRY CLEANING	00006041	0000076102	35.82	UNIFORM TAILORING
		=====		
		TOTAL:	35.82	
COLUMBIA BASIN DAILY HERALD	00000210	0000076134	147.42	SUBSCRIPTION - 1 YEAR
		=====		
		TOTAL:	147.42	
COLUMBIA BASIN POLYGRAPH SERV	00006665	0000076029	225.00	POLYGRAPH
		=====		
		TOTAL:	225.00	
COMMERCIAL TIRE	00005968	0000076046	388.14	PASSENGER TIRES/TIRE REPAIR
		=====		
		TOTAL:	388.14	
CONNELL OIL	00006332	0000076109	75.32	OIL
		=====		
		TOTAL:	75.32	
CONSOLIDATED ELECTRIC DIST	00000819	0000076051	278.12	WIRE/CONNECTOR/CORD & PLUG
		0000076051	64.74	WIRE/CONNECTOR/CORD & PLUG
		0000076051	204.90	WIRE/CONNECTOR/CORD & PLUG
		=====		
		TOTAL:	547.76	
DAN BOLYARD	00006082	0000076060	100.00	MAC PRESENTER PAY
		=====		
		TOTAL:	100.00	
DANIEL W CRADDOCK	00000281	0000076112	289.35	MEDICAL CO-PAY
		=====		
		TOTAL:	289.35	
DAY WIRELESS SYSTEMS	00005517	0000076024	696.49	REPAIRS

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		=====	
		TOTAL: 696.49	
DEPT OF ECOLOGY	00003221	0000076049 10,864.80	WW PERMITS/LARSON/DUNES
		=====	
		TOTAL: 10,864.80	
DEPT OF ENTERPRISE SERVICES	00002827	0000076016 400.00	ADMINISTRATIVE FEE
		=====	
		TOTAL: 400.00	
E F RECOVERY	00007244	0000076106 3,999.00	AMBULANCE BILLING & POSTAGE
		0000076106 86.24	AMBULANCE BILLING & POSTAGE
		=====	
		TOTAL: 4,085.24	
EASTERN CASCADE DIST	00006909	0000076131 109.25	DRINKING WATER
		=====	
		TOTAL: 109.25	
EPHRATA SPORTSMENS ASSOC	00007280	0000076022 300.00	MEMBERSHIP
		0000076022 300.00	MEMBERSHIP
		=====	
		TOTAL: 600.00	
ESRI INC	00007825	0000076032 1,132.95	ARCGIS MAINTENANCE
		0000076032 377.65	ARCGIS MAINTENANCE
		0000076032 377.65	ARCGIS MAINTENANCE
		0000076032 377.65	ARCGIS MAINTENANCE
		=====	
		TOTAL: 2,265.90	
ESVELT ENVIRONMENTAL ENG LLC	00005657	0000076031 20,250.00	PROFESS SERV BIOSLDS LND APP
		=====	
		TOTAL: 20,250.00	
EVERGREEN RURAL WATER OF WA	00006741	0000076050 700.00	MEMBERSHIP DUES
		=====	
		TOTAL: 700.00	
FABER INDUSTRIAL SUPPLY	00000501	0000076037 46.70	MISC SUPPLIES
		0000076111 218.49	MISC SUPPLIES/SAFETY SUPPLIES

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
		0000076111	7.80	MISC SUPPLIES/SAFETY SUPPLIES
		=====		
		TOTAL:	272.99	
FASTENAL COMPANY	00007372			
		0000076053	58.26	SNOW SHOVEL PUSHER
		0000076053	46.29	SNOW SHOVEL PUSHER
		=====		
		TOTAL:	104.55	
FERRELLGAS	00002207			
		0000076052	82.51	DOCK CYLINDER
		=====		
		TOTAL:	82.51	
FREDERICK HAYNES	00000730			
		0000076113	204.00	DENTAL CO-PAY
		=====		
		TOTAL:	204.00	
GRANT COUNTY ANIMAL OUTREACH	00003387			
		0000076123	25,000.00	ONE HALF OF YEARLY OBLIGATION
		=====		
		TOTAL:	25,000.00	
GRANT COUNTY DISTRICT COURT	00007843			
		0000076120	1,500.00	MUNI COURT SHARED COSTS
		=====		
		TOTAL:	1,500.00	
GRANT COUNTY HEALTH DISTRICT	00000614			
		0000076073	1,050.00	2016 PERMIT RENEWALS
		=====		
		TOTAL:	1,050.00	
GRANT RECORD SEARCH	00007137			
		0000076139	592.37	RECORD SEARCH APR-DEC 2015
		=====		
		TOTAL:	592.37	
GRANT/ADAMS UTILITY COUNCIL	00000625			
		0000076058	50.00	UNDERGROUND UTILITY LOCATES
		0000076058	50.00	UNDERGROUND UTILITY LOCATES
		0000076058	50.00	UNDERGROUND UTILITY LOCATES
		=====		
		TOTAL:	150.00	
HACH COMPANY	00000712			
		0000076054	884.80	REAGENT SET
		=====		
		TOTAL:	884.80	
HARRIS COMPUTERS	00005872			
		0000076088	462.31	TAX FORMS
		=====		
		TOTAL:	462.31	

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
IBS INC	00004860	0000076055	777.08	MISC SUPPLIES
		TOTAL:	777.08	
INNOVATIVE CONTROLS INC	00004504	0000076128	196.01	LED MASTER WATER DISPLAY
		TOTAL:	196.01	
ITRON	00006106	0000076115	765.67	MAINT AGREE/METER READ SYSTEM
		0000076115	858.65	MAINT AGREE/METER READ SYSTEM
		TOTAL:	1,624.32	
JERRYS AUTO SUPPLY	00005835	0000076056	25.81	MISC SUPPLIES
		0000076056	491.08	MISC SUPPLIES
		TOTAL:	516.89	
KAMAN FLUID POWER LLC	00001302	0000076063	45.64	PH ADAPTERS
		TOTAL:	45.64	
KATHERINE L KENISON	00006980	0000076085	15,856.00	PROF SERVICE/CITY ATTY
		TOTAL:	15,856.00	
KONE INC	00006438	0000076059	64.23	ELEVATOR MAINT AGREEMENT
		0000076059	365.08	ELEVATOR MAINT AGREEMENT
		TOTAL:	429.31	
KONICA MINOLTA BUSINESS SOL	00007194	0000076083	134.32	CH COPIER MAINT
		TOTAL:	134.32	
METRON POWDER COATING	00006872	0000076127	107.90	POWDERCOAT
		TOTAL:	107.90	
MEYER, FLUEGGE & TENNEY INC PS	00004556	0000076150	7,500.00	PROF SERV/WINCO HEARING
		TOTAL:	7,500.00	
MOON SECURITY SERVICES INC	00006510	0000076018	51.50	MONTHLY MONITORING

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		TOTAL:	51.50	
MOSES LAKE BOOSTER CLUB	00007304	0000076048	1,216.89	HOOPSTERS INSTRUCTION
		TOTAL:	1,216.89	
MOSES LAKE SOCCER TOTS	00007063	0000076151	248.00	SOCCEERTOTS INSTRUCTION
		TOTAL:	248.00	
MOSES LAKE STEEL SUPPLY	00001268	0000076033	38.12	MISC SUPPLIES
		0000076033	10.31	MISC SUPPLIES
		0000076062	23.36	ALUMINUM SHEET
		TOTAL:	71.79	
MULTI AGENCY COMM CENTER E911	00006695	0000076017	41,197.94	USER FEE
		0000076098	1,014.20	USER FEES / JANUARY
		0000076098	8,613.54	USER FEES / JANUARY
		TOTAL:	50,825.68	
N A E M T	00004971	0000076097	120.00	AMLS REG FEES
		TOTAL:	120.00	
N C MACHINERY	00004464	0000076064	384.12	ELEMENT FILTER
		TOTAL:	384.12	
NATL TACTICAL OFFICERS ASSN	00005585	0000076132	150.00	MEMBERSHIP
		TOTAL:	150.00	
NORCO ENTERPRISES INC	00006590	0000076103	10.47	MEDICAL OXYGEN/SUPPLIES
		0000076103	235.72	MEDICAL OXYGEN/SUPPLIES
		TOTAL:	246.19	
OXARC INC	00001412	0000076140	47.59	JACKET & TRANSFORMER
		0000076034	72.76	MISC SUPPLIES

CITY OF MOSES LAKE
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		0000076065	17.16	GLOVES, THINSULATE
		TOTAL:	137.51	
PARAMOUNT SUPPLY COMPANY	00006725	0000076066	43.16	GASKET MATERIAL
		TOTAL:	43.16	
PORT OF MOSES LAKE-EFT	00007334	0000076155	50,000.00	WASTEWATER AGREEMENT
		TOTAL:	50,000.00	
PUD OF GRANT COUNTY	00001501	0000076081	1,381.10	ELEC SERVICE/ST LIGHTS
		0000076081	35,292.01	ELEC SERVICE/ST LIGHTS
		TOTAL:	36,673.11	
QCL INC	00006542	0000076084	101.75	FOLLOW UP DRUG TEST
		TOTAL:	101.75	
QUILL CORPORATION	00004811	0000076122	152.14	MISC OFFICE SUPPLIES
		0000076122	101.49	MISC OFFICE SUPPLIES
		0000076114	93.63	BREAKRROM SUPPLIES/COFFEE
		0000076146	51.77	DATE STAMP
		TOTAL:	399.03	
REDFLEX TRAFFIC SYSTEMS	00004837	0000076082	27,024.77	PROF SERV/RED LIGHT TICKETS
		TOTAL:	27,024.77	
SCHAEFFER MFG COMPANY	00003823	0000076110	2,590.25	SYNTHETIC OIL
		TOTAL:	2,590.25	
SHERWIN-WILLIAMS	00006229	0000076041	306.47	MISC SUPPLIES
		0000076068	206.12	PAINT/PAINT SUPPLIES
		0000076068	162.34	PAINT/PAINT SUPPLIES
		TOTAL:	674.93	
SHIRTBUILDERS INC	00004022	0000076149	116.49	UNIFORM SHIRT

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CITY OF MOSES LAKE
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		TOTAL:	116.49	
SPECTRUM COMMUNICATIONS	00002691	0000076070	101.43	REPAIR/REPROGRAM
		TOTAL:	101.43	
SPILLMAN DATA SYSTEMS INC	00006674	0000076019	9,896.00	MAINTENANCE FEE
		TOTAL:	9,896.00	
STATE AUDITORS OFFICE	00003249	0000076130	221.50	PROF SERV/GEN AUDIT
		TOTAL:	221.50	
STATE INDUSTRIAL PRODUCTS	00007019	0000076061	495.26	MISC SUPPLIES
		TOTAL:	495.26	
STEVE ANDERSON	00007327	0000076129	110.00	PIANO TUNING
		TOTAL:	110.00	
SYMBOL ARTS	00006763	0000076020	310.00	SUPPLIES
		TOTAL:	310.00	
TALX UC EXPRESS	00000062	0000076086	375.00	UI CLAIMS MGMT
		TOTAL:	375.00	
U S BANK	00006383	0000076138	23.25	SERVICES
		TOTAL:	23.25	
UMPQUA BANK/MERCHANT-EFT	00005882	0000076152	415.52	CREDIT CARD FEES
		0000076152	126.99	CREDIT CARD FEES
		0000076152	153.16	CREDIT CARD FEES
		0000076152	85.14	CREDIT CARD FEES
		0000076152	135.36	CREDIT CARD FEES
		0000076152	29.38	CREDIT CARD FEES
		0000076152	128.69	CREDIT CARD FEES

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		0000076152	3.16	CREDIT CARD FEES
		0000076152	3.16	CREDIT CARD FEES
		0000076152	3.16	CREDIT CARD FEES
		0000076152	3.16	CREDIT CARD FEES
		0000076152	3.18	CREDIT CARD FEES
		=====		
		TOTAL:	1,090.06	
USPS/PB POSTAGE BY PHONE	00007859	0000076089	6,000.00	POSTAGE FOR MACHINE
		=====		
		TOTAL:	6,000.00	
UTIL UNDRGRND LOCATION CENTER	00004598	0000076069	17.63	UNDERGROUND UTILITY LOCATES
		0000076069	17.63	UNDERGROUND UTILITY LOCATES
		0000076069	17.63	UNDERGROUND UTILITY LOCATES
		=====		
		TOTAL:	52.89	
VERIZON WIRELESS	00002107	0000076087	-679.76	CELL PHONE SERVICE
		0000076087	80.02	CELL PHONE SERVICE
		0000076087	25.57	CELL PHONE SERVICE
		0000076087	560.16	CELL PHONE SERVICE
		0000076087	40.01	CELL PHONE SERVICE
		0000076087	80.02	CELL PHONE SERVICE
		0000076087	40.01	CELL PHONE SERVICE
		0000076087	40.01	CELL PHONE SERVICE
		0000076087	40.01	CELL PHONE SERVICE
		=====		
		TOTAL:	226.05	
W A P R O	00005733	0000076014	25.00	MEMBERSHIP
		=====		
		TOTAL:	25.00	
W S L C B	00005083	0000076144	64.00	SPECIAL OCCASION LICENSE

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CITY OF MOSES LAKE
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		TOTAL:	64.00	
W S T O A	00007284	0000076015	100.00	MEMBERSHIP
=====				
		TOTAL:	100.00	
WA CITIES INSURANCE AUTHORITY	00006720	0000076116	431,715.00	LIABILITY INSURANCE
=====				
		TOTAL:	431,715.00	
WASH FINANCE OFFICERS ASSOC	00002208	0000076156	50.00	MEMBERSHIP DUES
=====				
		TOTAL:	50.00	
XPRESS BILL PAY - EFT	00006421	0000076153	319.28	CREDIT CARD FEES
		0000076153	319.28	CREDIT CARD FEES
		0000076153	319.28	CREDIT CARD FEES
		0000076153	319.28	CREDIT CARD FEES
		0000076153	319.29	CREDIT CARD FEES
=====				
		TOTAL:	1,596.41	
=====				
		REPORT TOTAL:	981,625.62	



CITY OF MOSES LAKE STAFF REPORT

To: John Williams, City Manager
From: Gary Harer, Municipal Services Director
Date: January 26, 2016
Proceeding Type: PUBLIC HEARING
Subject: Establish Water Use Efficiency Goals

Legislative History:

- | | |
|-----------------------|---------------------------------------|
| • First Presentation: | January 12, 2016 – Set Public Hearing |
| • Public Hearing: | January 26, 2016 |
| • Council Action | City Council Motion |
-

Staff Report Summary

A public meeting must be held to provide an opportunity for consumers and the public to participate and comment on proposed water use efficiency goals. The City Council should review and consider all comments received from the public while evaluating the water use efficiency goals. The Water Division has suggested the following goal for the Moses Lake Water System:

To continue to reduce the average annual consumption per residential connection by 2 percent by 2022.

Background

The Municipal Water Law requires municipal water suppliers to publicly establish water use efficiency goals for their customers. The goals should run concurrently with the updates of the system's Water System Plan and promote good stewardship of the State's water resources. Staff is addressing the Department of Health's comments on our draft Water System Plan and the water use efficiency goal is one of the final comments left before submitting the final product.

Fiscal and Policy Implications

The Department of Health requires the City's Water System Plan to be updated every six years to meet the requirements of the City's water system permit.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Approve a motion to adopt the suggested goal, a modified goal, or additional goals</i>	The City will meet this requirement from the DOH, the Water System Plan can be submitted and approved, and the City can maintain a Green Operating Permit.
<ul style="list-style-type: none">• <i>Take no action.</i>	The City's water system will be out of compliance and the operating permit will be downgraded.

Staff Recommendation

Staff recommends the City Council adopts a water use efficiency goal based on staff's suggestion and any public comments that are received.

Attachments

A.	None
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Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none">• None		



CITY OF MOSES LAKE
STAFF REPORT

To: John Williams, City Manager
From: Gil Alvarado, Community Development Director
Date: January 26, 2016
Proceeding Type: MOTION
Subject: Ordinance – Amend MLMC 18.20 Residential Zones

Legislative History:

• First Presentation:	January 26, 2016
• Second presentation:	
• Action:	Motion

Staff Report Summary

Attached is an Ordinance that amends MLMC 18.20, Residential Zones in order to come into compliance with current state law regarding the placement of manufactured homes. Currently the City of Moses Lake prohibits manufactured housing in the R-1 Zone, which is no longer permitted under the provisions of SB 6593 passed by the Washington State Legislature in 2004.

The city's insurance carrier, Washington Cities Insurance Authority (WCIA), has also put us on notice that we must come into compliance with the provisions of SB 6593. The notice was provided through our WCIA audit and we have until March 1, 2016 to come into compliance.

Background

In 2004 the Washington State Legislature passed SB 6593 changed how cities and counties could regulate manufactured homes. No longer could cities and counties prohibit manufactured homes from zoning districts that allowed traditional "stick-built" construction. Prior to the passage of SB

6593 cities and counties seemingly has the authority to regulate the location of manufactured homes through zoning and even to bad entirely.

Fiscal and Policy Implications

The fiscal implications are severe if action is not taken to come into compliance with state law. We would be violating the provisions of RCW 35.21.684 and subject to potential adverse litigation. Lack of action would also prompt WCIA to put the City of Moses Lake on notice that we have not complied with the requirements of our surety compact that would lead to re-insurance at an unfavorable rate or even cancellation from the insurance pool.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Amend MLMC 18.20</i>	<i>Compliance with state law and WCIA insurance compact compliance</i>
<ul style="list-style-type: none">• <i>Take no action.</i>	<i>Violate state law RCW 35.21.684 and WCIA insurance compact compliance</i>

Staff Recommendation

Staff recommends the ML City Council adopt this Ordinance amending Chapter 18.20 of the Moses Lake Municipal Code entitled "Residential Zones" on the first reading.

Attachments

A.	MRSC Local Land Use Regulation
B.	RCW 35.21.684, Authority of regulate placement or use of homes

Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none">• Ordinance	MLMC 18.20, Residential Zones	01/12/16 City Attorney, Katherine Kenison

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 18.20 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "RESIDENTIAL ZONES"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 18.20 of the Moses Lake Municipal Code entitled "Residential Zones" is amended as follows:

18.20.030 Allowed Uses:

- A. The Residential Land Uses table indicates where categories of land uses may be permitted and whether those uses are allowed outright or by conditional use permit. Only residential zones are included in this table. Land uses not listed are prohibited unless allowed through the process specified in MLMC 18.20.020.D. Further interpretation of these zones may be obtained as specified in MLMC 20.03.020.B. Land uses are also subject to any footnotes contained within this chapter.
- B. The symbols used in the table represent the following:
1. An "A" in a table cell indicates that the use is allowed subject to the applicable standards in this code in the zone listed at the top of the table.
 2. A "C" in a table cell indicates that the use is allowed by conditional use permit, subject to the conditional use provisions in MLMC 18.51 and any additional standards specified.
 3. An "X" in a table cell indicates the use is not allowed in the zone listed at the top of the table.
- C. Procedural requirements for permits are described in Moses Lake Municipal Code Title 20.
- D. Uses similar to those listed may be established as allowed or conditionally allowed through the interpretation procedures in MLMC 20.03.020.B. In determining whether a use should be permitted, the Community Development Director shall refer to the purpose statements found in MLMC 18.20.010 and the 1987 version of the Standard Industrial Classification Manual.

TABLE 1: LAND USES IN RESIDENTIAL ZONES				
USE CATEGORIES	R-1	R-2	R-3	R-4
Residential				
Single family detached dwelling	A	A	A	A
Single family attached dwelling, each unit on its own lot of record	A	A	A	X
Factory built residential structure not on a permanent chassis	A	A	A	A
Factory-built housing constructed to the standards of the State Building Code	A	A	A	A
Manufactured home	X A	A	A	A
Duplex	X	A	A	X
Multi-family dwelling units	X	X	A	X

TABLE 1: LAND USES IN RESIDENTIAL ZONES

USE CATEGORIES	R-1	R-2	R-3	R-4
Condominium (in compliance with MLMC 18.67)	A	A	A	A
Rental of apartment appurtenant to single family residence	X	C	C	C
Accessory dwelling unit (in compliance with 18.20.055)	A	A	A	X
Boarding house for not more than 3 people	X	C	C	X
Manufactured Home Park (in compliance with MLMC 18.65)	X	C	C	X
Temporary occupancy of recreational vehicle ¹	X	C	C	X
Commercial				
Adult Family Home ²	A	A	A	A
Assisted Living Facility	X	X	C	X
Family Day Care ³	A	A	A	A
Day Care Center—in home ⁴	C	C	C	X
Day Care Center—not in home ⁵	X	X	C	X
Home Occupation (in compliance with MLMC 18.55)	A	A	A	A
Professional Office	X	X	C	X
Golf course	C	C	C	C
Clubs, lodges, assembly halls	X	X	C	X
Athletic clubs	X	X	C	X
Boarding houses	X	X	C	X
Clinics, hospitals	X	X	C	X
Hotels, motels	X	X	C	X
Marinas	X	X	C	X
Recreational Vehicle Parks (in compliance with MLMC 18.71)	X	X	C	X
Commercial uses not specifically listed	X	X	X	X
Transportation, Communication, and Utilities				
Wireless communication facilities, in compliance with MLMC 18.78	X	X	X	X
Local utilities, below ground	A	A	A	A
Local utilities, above ground	C	C	C	C

TABLE 1: LAND USES IN RESIDENTIAL ZONES				
USE CATEGORIES	R-1	R-2	R-3	R-4
Regional utilities	C	C	C	C
Public and Institutional				
Park, playground, athletic field, other non-commercial recreation	A	A	A	A
Schools—public and private	C	C	C	C
Churches and church structures or additions which may exceed 30' in height, and appurtenant uses	C	C	C	C
Cemeteries	C	C	C	C
Agricultural				
Commercial cultivation of land for agricultural products, vineyards, gardening, fruit growing	X	X	X	A
Keeping of livestock, poultry, rabbits, or bees (in compliance with MLMC 18.20.160)	X	X	X	A
Selling of agricultural products raised or grown on premises	X	X	X	A
Stables, riding academies, commercial dog kennels	X	X	X	C
Commercial produce stand (selling of seasonal agricultural products)	X	X	X	C
Miscellaneous				
Accessory use appurtenant to any primary use and not otherwise prohibited	A	A	A	A
Removal of soil or other natural materials for the purpose of sale or use as fill material ⁶	X	X	X	X

Footnotes for Table 1

1. A. The following criteria shall be met:
 - 1) Applicant must be a non-profit organization.
 - 2) The request is associated with a construction project which requires a conditional use permit.
 - 3) The location and siting of the RV units shall comply with MLMC 18.65.080 Setbacks and Separations of Manufactured Homes, MLMC 16.36 Fire Apparatus Access, and MLMC 16.48 Fire Hydrants.
- B. In addition to any other conditions the Planning Commission sets on the project, the following requirements shall be stipulated as conditions of the conditional use permit:
 - 1) The duration of the conditional use permit shall be specified and shall not be allowed to exceed the life of the building permit.
 - 2) The number of RV units to be allowed.

- 3) The RV site shall be left free of litter, debris, or other evidence of RV occupation upon the completion or removal of the use.
 - 4) A solid waste disposal plan shall be provided.
2. An adult family home shall be licensed by the State of Washington Department of Social and Health Services, and a city business license shall be required.
3. Family day care homes shall be licensed by the State of Washington Department of Social and Health Services and shall operate in compliance with the licensed capacity requirements for family day care homes. Certification by the office of child care policy licensor as providing a safe passenger loading area, and a city business license shall be required. The building and lot shall comply with all building, fire, safety, and health code requirements, and shall conform to the lot size, building size, setbacks, and lot coverage standards of the zone, except for legal nonconforming structures. Signage shall not be allowed. Hours of operation may be limited to facilitate neighborhood compatibility, while also providing appropriate opportunities for persons who use family day care and who work a non-standard shift. Proof that adjacent property owners have been notified in writing of the intent to locate and maintain such a facility shall be required.
4. This shall be a day care facility that provides for the care of no more than 20 children in the family abode of the person holding the license issued by the Washington State Department of Social and Health Service. Day care centers must be in compliance with the following requirements:
 - A. Outdoor play areas shall not be located in front yards.
 - B. One on-site parking space is required for each employee in addition to the required resident parking.
 - C. An on-site, off-street loading and unloading area shall be required.
 - D. A city business license shall be required.
 - E. Signage shall not be permitted in the R-1, R-2, or R-4 Zones.
 - F. No structural or decorative alteration which would alter the character or be incompatible with the surrounding residences shall be permitted.
 - G. The use and structures shall be in compliance with zoning regulations and State Building Code requirements.
 - H. Day care centers shall be licensed by the State of Washington, Department of Social and Health Services and shall operate in compliance with the licensed capacity requirements as determined by the State of Washington, Department of Health Services, unless the Planning Commission stipulates fewer children.
 - I. The Planning Commission may impose conditions to mitigate any potential adverse impacts on the surrounding area.
5. Subject to the following conditions:
 - A. Day care facilities shall be licensed by the State of Washington, Department of Social and Health Services and shall operate in compliance with the licensed capacity requirements as determined by the State of Washington, Department of Health Services, unless the Planning Commission stipulates fewer children.
 - B. One (1) on-site parking space shall be required for each employee on the largest shift.

C. An on-site loading and unloading area shall be required.

6. Excavation for the purpose of on-site construction or landscaping is permitted.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on February 9, 2016.

Todd Voth, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney

Local Land Use Regulation of Manufactured Housing

Introduction and Overview of Legislation

Whatever one's views regarding manufactured housing, it cannot be disputed that manufactured housing today is quite different from the mobile homes of twenty or thirty years ago or more. "Mobile homes," as they are commonly thought of, are no longer being built, and "manufactured housing" has taken their place. Manufactured housing is much more like traditional site-built housing than was the traditional mobile home. The manufactured housing industry contends that there is no appreciable difference between the two. Being generally less expensive than site-built housing, manufactured housing can provide viable housing opportunities for low income families.

2004 Legislation Sets New Direction for Manufactured Housing Regulation

State and federal laws limit local government regulation of manufactured housing. Local governments may not enact construction, safety, and energy standards that are stricter than those established the Department of Housing and Urban Development (HUD) since Congress passed the National Manufactured Housing Construction and Safety Standards Act of 1974.

The 2004 state legislature significantly changed the landscape of local land use regulation of manufactured homes again by the passage of [SB 6593](http://app.leg.wa.gov/documents/billdocs/2003-04/Pdf/Bills/Session%20Laws/Senate/6593.SL.pdf) (<http://app.leg.wa.gov/documents/billdocs/2003-04/Pdf/Bills/Session%20Laws/Senate/6593.SL.pdf>). A major impetus for the 2004 legislation was to provide for "affordable homeownership and rental housing." This law requires that cities and counties must regulate manufactured homes built to federal manufactured housing construction standards no differently than they regulate other types of homes. Prior to SB 6593, Washington cities and counties seemingly had the authority to regulate the location of manufactured homes through zoning and even to ban them entirely. SB 6593, however, eliminated any previous ability of local governments in the state to restrict where manufactured housing - at least certain manufactured housing - could locate. See [RCW 35.21.684](http://app.leg.wa.gov/rcw/default.aspx?cite=35.21.684) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35.21.684>); [RCW 35A.21.312](http://app.leg.wa.gov/rcw/default.aspx?cite=35A.21.312) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35A.21.312>), and [RCW 36.01.225](http://app.leg.wa.gov/rcw/default.aspx?cite=36.01.225) (<http://app.leg.wa.gov/rcw/default.aspx?cite=36.01.225>).

Nevertheless, cities and counties may under this legislation require that that these manufactured homes: (1) be new manufactured homes (but see below); (2) be set on a permanent foundation; (3) comply with any local design standards that may apply to all other homes in the neighborhood in which the manufactured home is to be located; (4) be thermally equivalent to the state energy code; and/or (5) otherwise meet requirements for a "designated manufactured home" in [RCW 35.63.160](http://app.leg.wa.gov/rcw/default.aspx?cite=35.63.160) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35.63.160>). (Because a "designated manufactured home" under that definition is one that includes at least two sections, cities and counties may still regulate "single-wide" manufactured homes differently than other types of homes.)

2008 Legislation Further Restricts Local Regulation

In 2008, the legislature passed [SSB 5524](http://app.leg.wa.gov/documents/billdocs/2007-08/Pdf/Bills/Session%20Laws/Senate/5524-S.SL.pdf) (<http://app.leg.wa.gov/documents/billdocs/2007-08/Pdf/Bills/Session%20Laws/Senate/5524-S.SL.pdf>) which provides that cities and counties may not prohibit a mobile or manufactured home from locating in an *existing* mobile home park or manufactured housing community (existing before June 12, 2008) based on the age or size of that mobile or manufactured home. See [RCW 35.21.684](http://app.leg.wa.gov/rcw/default.aspx?cite=35.21.684) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35.21.684>); [RCW 35A.21.312](http://app.leg.wa.gov/rcw/default.aspx?cite=35A.21.312) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35A.21.312>), and [RCW 36.01.225](http://app.leg.wa.gov/rcw/default.aspx?cite=36.01.225) (<http://app.leg.wa.gov/rcw/default.aspx?cite=36.01.225>). Local jurisdictions are still permitted to place age and dimension criteria on manufactured housing that is sited outside of mobile and manufactured housing communities, or on housing to be sited in *new* mobile home parks or manufactured housing

communities (SSB 5524 (<http://app.leg.wa.gov/documents/billdocs/2007-08/Pdf/Bills/Session%20Laws/Senate/5524-S.SL.pdf>)).

2009 Legislation Permits Recreational Vehicles as Housing

The 2009 legislature added a further limitation on the authority of cities and counties regarding manufactured/mobile home communities. Under EHB 1227 (<http://app.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Session%20Laws/House/1227.SL.pdf>), cities and counties may not have an ordinance that prevents the entry or requires the removal of a recreational vehicle used as a primary residence in manufactured/mobile home communities. However, cities and counties may enact requirements that utility hookups in manufactured/mobile home communities meet state and federal building code standards for these communities and that a recreational vehicle contain both an internal toilet and an internal shower (unless the manufactured/mobile home community provides toilets and showers). See RCW 35.21.684 (<http://app.leg.wa.gov/rcw/default.aspx?cite=35.21.684>)(3), RCW 35A.21.312 (<http://app.leg.wa.gov/rcw/default.aspx?cite=35A.21.312>)(3), and RCW 36.01.225 (<http://app.leg.wa.gov/rcw/default.aspx?cite=36.01.225>)(3).

Many local manufactured housing ordinances in this state have been on the books for a number of years and do not necessarily reflect the current state of the law or of the industry. The Washington Manufactured Housing Association has developed "model" regulations for local governments to adopt for the purpose of complying with SB 6593. See [Documents](#) below. The model regulations do not, however, address the 2008 or 2009 legislation.

Statutes

- [Federal - U.S. Code, 42 U.S.C. § 5403](#) (<http://www4.law.cornell.edu/uscode/42/5403.html>)
- [RCW 35.21.684](#) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35.21.684>) - Authority to regulate placement or use of homes - Regulation of manufactured homes - Issuance of permits - Restrictions on location of manufactured/mobile homes and entry or removal of recreational vehicles used as primary residences
- [RCW 35A.21.312](#) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35A.21.312>) - Authority to regulate placement or use of homes - Regulation of manufactured homes - Issuance of permits - Restrictions on location of manufactured/mobile homes and entry or removal of recreational vehicles used as primary residences
- [RCW 36.01.225](#) (<http://app.leg.wa.gov/rcw/default.aspx?cite=36.01.225>) - Authority to regulate placement or use of homes - Regulation of manufactured homes - Restrictions on location of manufactured/mobile homes and entry or removal of recreational vehicles used as primary residences
- [RCW 35.63.160](#) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35.63.160>) - Regulation of manufactured homes - Definitions
- [RCW 35A.63.145](#) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35A.63.145>) - Prohibitions on manufactured homes - Review required - "Designated manufactured home" defined
- [RCW 35A.63.146](#) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35A.63.146>) - Manufactured housing communities - Prohibitions of code city due to community status as a nonconforming use
- [RCW 35.63.161](#) (<http://app.leg.wa.gov/rcw/default.aspx?cite=35.63.161>) - Manufactured housing communities - Prohibitions of city due to community status as a nonconforming use
- [RCW 43.22.340 - 43.22.495](#) (<http://app.leg.wa.gov/rcw/default.aspx?cite=43.22>)

General Information

- [Manufactured Housing Q & A \(regarding SB 6593\)](#) (</Corporate/media/MediaLibrary/SampleDocuments/ArtDocMisc/QA.pdf>) Washington Manufactured Housing Association, 2004
- ["Model" Regulations](#) (</Corporate/media/MediaLibrary/SampleDocuments/ArtDocMisc/modelregs.pdf>) (Single-Family Homes; Manufactured Homes), Washington Manufactured Housing Association, 2004 - These model regulations, offered from an industry association perspective, are still useful, although they predate the 2008 and

- Marysville Municipal Code Ch. 22C.230
(<http://codepublishing.com/wa/marysville/html/Marysville22C/Marysville22C230.html#22C.230>) - Mobile Home Parks - Updated 2011 - Addresses SB 6538 and EHB 1227 and does not appear to be inconsistent with SSB 5524
- Mukilteo Municipal Code Ch. 17.76
(<http://codepublishing.com/wa/mukilteo/html/Mukilteo17/Mukilteo1776.html#17.76>) - Manufactured Home - Addresses SB 6538
- Ocean Shores Municipal Code - Addresses SB 6538 and SSB 5524
 - Sec. 17.16.020
(<http://www.codepublishing.com/wa/oceanshores/html/oceanshores17/OceanShores1716.html#17.16.020>) - R-1 Zone - Single-Family Residential, Permitted uses
 - Sec. 17.16.070
(<http://www.codepublishing.com/wa/oceanshores/html/oceanshores17/OceanShores1716.html#17.16.070>) - R-1 Zone - Single-Family Residential, Regulations for manufactured homes
 - Ch. 17.26
(<http://www.codepublishing.com/WA/OceanShores/html/OceanShores17/OceanShores1726.html#17.26>) - R-6B Zone - Mobile Home and Manufactured Home
 - Ch. 17.27
(<http://www.codepublishing.com/WA/OceanShores/html/OceanShores17/OceanShores1727.html#17.27>) - R-6C Zone - Manufactured Home-Double-Wide or Larger
- Pierce County Code - Addresses SB 6538 and SSB 5524 and definition sections address EHB 1227
 - Ordinance No. 2010-7 (/Corporate/media/MediaLibrary/SampleDocuments/Ords/p5o2010-7.pdf) - Addressing the Placement of Recreational Vehicles in Mobile Home Parks, passed 04/06/2010
 - Title 18, Sec. 18.25.030 (<http://www.co.pierce.wa.us/DocumentCenter/View/1155>) - Definition of Mobile Home Park
 - Title 18A, Sec. 18A.33.210 (<http://www.co.pierce.wa.us/DocumentCenter/View/1156>)(D) - Mobile Home Park - Description of Mobile Home Park as a residential use category
 - Title 18A, Sec. 18A.38.050 (<http://www.co.pierce.wa.us/DocumentCenter/View/1156>)(E) - Temporary Occupancy of Recreational Vehicle, Travel Trailer or Tent
 - Title 18J, Sec. 18J.15.200 (<http://www.co.pierce.wa.us/DocumentCenter/View/1173>) - Mobile Home Parks - Design standards
 - Title 18J, Sec. 18J.15.210 (<http://www.co.pierce.wa.us/DocumentCenter/View/1173>) - Recreational Vehicle Parks - Design standards

Last Modified: December 02, 2015

Case Law

- *Washington Manufactured Housing Ass'n v. Public Utility District No. 3* ([/mc/courts/supreme/124wn2d/124wn2d0381.htm](http://mc/courts/supreme/124wn2d/124wn2d0381.htm)), 124 Wn.2d 381 (1994) - Connection charge not pre-empted
A public utility district's new facility charge for connecting electricity to electrically heated homes that do not meet certain energy efficiency standards does not impose a construction standard preempted by section 5403 of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.) if the charge covers only the actual costs incurred by the district in providing new, less efficient homes with electrical power. Also, of interest here, the state supreme court, in dicta, noted that it is "clear that zoning laws that ban manufactured housing or limit them to certain areas are not preempted if they are silent as to construction or safety standards." This is still an important case, although subsequent legislation (SB 6593 (<http://www.leg.wa.gov/pub/billinfo/2003-04/Pdf/Bills/Session%20Law%202004/6593.SL.pdf>)) eliminated local government ability to regulate the siting of HUD-compliant manufactured housing differently than other types of homes.
- *Lawson v. City of Pasco* (<http://courts.mrsc.org/mc/courts/zsupreme/168wn2d/168wn2d0675.htm>), 168 Wn.2d 675 (2010) - Recreational vehicle regulation
Lawson allowed recreational vehicles to park in his residential mobile home park, contrary to a city ordinance. Lawson maintained that the Manufactured/Mobile Home Landlord-Tenant Act, ch. 59.20 RCW preempted the city ordinance because the state law authorizes, if not requires, recreational vehicles used as a primary residence to be allowed in mobile home parks. A divided supreme court affirmed a decision of the Court of Appeals, a decision that upheld the city ordinance. While the state legislature intended to act in the field of regulating mobile home park landlord-tenant relationships, it did not wholly preempt local action in this field. The legislature expressly conferred concurrent jurisdiction to local municipalities in the field of regulating landlord-tenant compliance with ordinances; the state act did not preempt the local ordinance. The court also found that the ordinance's operation did not conflict with the state law; each could operate distinctly without inconsistency. The ordinance was not unconstitutional. (Subsequent to the Court of Appeals trial on this matter, state law was changed; the city would not now be able to prohibit the RV from the mobile home park. The Supreme Court did not consider the effect of the 2009 legislation (EHB 1227 (<http://app.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Session%20Law%202009/1227.SL.pdf>) codified in RCW 35.21.684 (<http://app.leg.wa.gov/rcw/default.aspx?cite=35.21.684>); RCW 35A.21.312 (<http://app.leg.wa.gov/rcw/default.aspx?cite=35A.21.312>) and RCW 36.01.225 (<http://app.leg.wa.gov/rcw/default.aspx?cite=36.01.225>)) that was enacted after it accepted the case for review.)

Codes

- Anacortes Municipal Code Sec. 17.54.100
(https://library.municode.com/HTML/16193/level2/TIT17ZO_CH17.54STEN.html#TIT17ZO_CH17.54STEN_17.54.100MAHO)
- Manufactured home - Addresses SB 6538
- Black Diamond Municipal Code Ch. 18.90
(http://www.ci.blackdiamond.wa.us/citycode/level2/TIT18ZO_CH18.90MAHO.html) - Manufactured Housing - Clearly organized code addresses SB 6538 and SSB 5524
- Edgewood Municipal Code Sec. 18.100.90
(<http://www.codepublishing.com/wa/edgewood/html/Edgewood18/Edgewood18100.html#18.100.090>) - Manufactured homes on individual lots - Addresses SB 6538
- Lacey Municipal Code - Directly addresses SB 6538, SSB 5524, and EHB 1227
 - Ch. 14.14 (<http://www.codepublishing.com/WA/lacey/html/Lacey14/Lacey1414.html#14.14>) - Manufactured Home Standards
 - Ch. 16.63 (<http://www.codepublishing.com/WA/lacey/html/Lacey16/Lacey1663.html#16.63>) - Mobile Homes

RCW 35.21.684

Authority to regulate placement or use of homes—Regulation of manufactured homes—Issuance of permits—Restrictions on location of manufactured/mobile homes and entry or removal of recreational vehicles used as primary residences.

(1) A city or town may not adopt an ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-5403 standards (as amended in 2000) must be regulated for the purposes of siting in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard. However, except as provided in subsection (2) of this section, any city or town may require that:

- (a) A manufactured home be a new manufactured home;
- (b) The manufactured home be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;
- (c) The manufactured home comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;
- (d) The home is thermally equivalent to the state energy code; and
- (e) The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160.

A city with a population of one hundred thirty-five thousand or more may choose to designate its building official as the person responsible for issuing all permits, including department of labor and industries permits issued under chapter 43.22 RCW in accordance with an interlocal agreement under chapter 39.34 RCW, for alterations, remodeling, or expansion of manufactured housing located within the city limits under this section.

(2) A city or town may not adopt an ordinance that has the effect, directly or indirectly, of restricting the location of manufactured/mobile homes in manufactured/mobile home communities that were legally in existence before June 12, 2008, based exclusively on the age or dimensions of the manufactured/mobile home. This does not preclude a city or town from restricting the location of a manufactured/mobile home in manufactured/mobile home communities for any other reason including, but not limited to, failure to comply with fire, safety, or other local ordinances or state laws related to manufactured/mobile homes.

(3) Except as provided under subsection (4) of this section, a city or town may not adopt an ordinance that has the effect, directly or indirectly, of preventing the entry or requiring the removal of a recreational vehicle used as a primary residence in manufactured/mobile home communities.

(4) Subsection (3) of this section does not apply to any local ordinance or state law that:

- (a) Imposes fire, safety, or other regulations related to recreational vehicles;
- (b) Requires utility hookups in manufactured/mobile home communities to meet state or federal building code standards for manufactured/mobile home communities; or
- (c) Includes both of the following provisions:
 - (i) A recreational vehicle must contain at least one internal toilet and at least one internal shower; and
 - (ii) If the requirement in (c)(i) of this subsection is not met, a manufactured/mobile home community must provide toilets and showers.

(5) For the purposes of this section, "manufactured/mobile home community" has the same meaning as in RCW 59.20.030.

(6) This section does not override any legally recorded covenants or deed restrictions of record.

(7) This section does not affect the authority granted under chapter 43.22 RCW.

[2009 c 79 § 1; 2008 c 117 § 1; 2004 c 256 § 2.]

NOTES:

Findings—Intent—2004 c 256: "The legislature finds that: Congress has preempted the regulation by the states of manufactured housing construction standards through adoption of construction standards for manufactured housing (42 U.S.C. Sec. 5401-5403); and this federal regulation is equivalent to the state's uniform building code. The legislature also finds that congress has declared that: (1) Manufactured housing plays a vital role in meeting the housing needs of the nation; and (2) manufactured homes provide a significant resource for affordable homeownership and rental housing accessible to all Americans (42 U.S.C. Sec. 5401-5403). The legislature intends to protect the consumers' rights to choose among a number of housing construction alternatives without restraint of trade or discrimination by local governments." [2004 c 256 § 1.]

Effective date—2004 c 256: "This act takes effect July 1, 2005." [2004 c 256 § 6.]

RCW 35A.21.312

Authority to regulate placement or use of homes—Regulation of manufactured homes—Issuance of permits—Restrictions on location of manufactured/mobile homes and entry or removal of recreational vehicles used as primary residences.

(1) A code city may not adopt an ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-5403 standards (as amended in 2000) must be regulated for the purposes of siting in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard. However, except as provided in subsection (2) of this section, any code city may require that:

- (a) A manufactured home be a new manufactured home;
- (b) The manufactured home be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;
- (c) The manufactured home comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;
- (d) The home is thermally equivalent to the state energy code; and
- (e) The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160.

A code city with a population of one hundred thirty-five thousand or more may choose to designate its building official as the person responsible for issuing all permits, including department of labor and industries permits issued under chapter 43.22 RCW in accordance with an interlocal agreement under chapter 39.34 RCW, for alterations, remodeling, or expansion of manufactured housing located within the city limits under this section.

(2) A code city may not adopt an ordinance that has the effect, directly or indirectly, of restricting the location of manufactured/mobile homes in manufactured/mobile home communities that were legally in existence before June 12, 2008, based exclusively on the age or dimensions of the manufactured/mobile home. This does not preclude a code city from restricting the location of a manufactured/mobile home in manufactured/mobile home communities for any other reason including, but not limited to, failure to comply with fire, safety, or other local ordinances or state laws related to manufactured/mobile homes.

(3) Except as provided under subsection (4) of this section, a code city may not adopt an ordinance that has the effect, directly or indirectly, of preventing the entry or requiring the removal of a recreational vehicle used as a primary residence in manufactured/mobile home communities.

(4) Subsection (3) of this section does not apply to any local ordinance or state law that:

- (a) Imposes fire, safety, or other regulations related to recreational vehicles;
 - (b) Requires utility hookups in manufactured/mobile home communities to meet state or federal building code standards for manufactured/mobile home communities or recreational vehicle parks;
- or

(c) Includes both of the following provisions:

(i) A recreational vehicle must contain at least one internal toilet and at least one internal shower; and

(ii) If the requirement in (c)(i) of this subsection is not met, a manufactured/mobile home community must provide toilets and showers.

(5) For the purposes of this section, "manufactured/mobile home community" has the same meaning as in RCW 59.20.030.

(6) This section does not override any legally recorded covenants or deed restrictions of record.

(7) This section does not affect the authority granted under chapter 43.22 RCW.

[2009 c 79 § 2; 2008 c 117 § 2; 2004 c 256 § 3.]

NOTES:

Findings—Intent—Effective date—2004 c 256: See notes following RCW 35.21.684.

RCW 35.63.160**Regulation of manufactured homes—Definitions.**

(1) A "designated manufactured home" is a manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

(a) Is comprised of at least two fully enclosed parallel sections each of not less than twelve feet wide by thirty-six feet long;

(b) Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and

(c) Has exterior siding similar in appearance to siding materials commonly used on conventional site-built uniform building code single-family residences.

(2) "New manufactured home" means any manufactured home required to be titled under Title 46 RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW 82.45.032(2).

(3) Nothing in this section precludes cities from allowing any manufactured home from being sited on individual lots through local standards which differ from the designated manufactured home or new manufactured home as described in this section, except that the term "designated manufactured home" and "new manufactured home" shall not be used except as defined in subsections (1) and (2) of this section.

[2004 c 256 § 5; 1988 c 239 § 1.]

NOTES:

Findings—Intent—Effective date—2004 c 256: See notes following RCW 35.21.684.



CITY OF MOSES LAKE
STAFF REPORT

To: City Council
From: John Williams, City Manager
Date: January 26, 2016
Proceeding Type: MOTION
Subject: Grant County EDC Board of Directors - Council Representative

Legislative History:

- | | |
|------------------------|--------|
| • First Presentation: | |
| • Second presentation: | |
| • Action: | Motion |
-

Staff Report Summary

The Grant County Economic Development Council Board of Directors is requesting the Mayor with a confirmation from Council to appoint a City Council Member to serve on the Grant County EDC Board of Directors.

Background

Active membership in the Grant County EDC shall be individuals or entities doing business in Grant County desirous of furthering the objects and purposes of the Grant County EDC. The Board is composed of twenty-one (21) Directors who must be individual or a representative of entity Members. Each Director shall hold office for a three (3) year term and until his/her successor is elected and qualified. There is currently one open position to represent the City of Moses Lake.

Fiscal and Policy Implications

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Appoint a Council Member to serve on the Grant County EDC Board of Directors</i>	As a voting member, business, property and affairs of the Grant County EDC shall be managed under the direction of the Board of Directors.
<ul style="list-style-type: none">• <i>Take no action.</i>	Loss of voting privileges for any business, property, and affairs of the Grant County EDC.

Staff Recommendation

Staff recommends Council confirm the Mayor's selection for a Council representative to serve three (3) years on the Grant County Economic Development Council Board of Directors.

Attachments

A.	Grant County Economic Development Council Bylaws
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Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
Not applicable		



6594 Patton Boulevard NE Moses Lake, WA 98837
Ph: 509.764.6579 Fax: 509.762.5161
www.grantedc.com

January 20, 2016

Dear Mayor Voth,

The Grant County Economic Development Council would formally like to request representation from the Moses Lake City Council on our board of directors.

It was our pleasure to work with the former Council Member Jon Lane. He was always working hard to help the City of Moses Lake grow and prosper and we would like to continue to have the City of Moses Lake have a presence on our board.

Sincerely,

A handwritten signature in blue ink that reads "Emily Braunwart". The signature is written in a cursive, flowing style.

Emily Braunwart
Business Recruitment Manager
509-764-6579
6594 Patton Blvd. NE
Moses Lake, WA 98837

**FIFTH AMENDMENT TO
AMENDED AND RESTATED
BYLAWS
OF THE
GRANT COUNTY ECONOMIC DEVELOPMENT COUNCIL

FEBRUARY 2015**

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FIFTH AMENDMENT TO
AMENDED AND RESTATED
BYLAWS
OF THE
GRANT COUNTY ECONOMIC DEVELOPMENT COUNCIL

ARTICLE I
NAME AND LOCATION

1.1 Name. The name of this Corporation is the Grant County Economic Development Council.

1.2 Principal Office. Until changed by appropriate resolution of the Board of Directors ("Board"), the principal office of this Corporation is located at 6594 Patton Boulevard Northeast, Moses Lake, Washington 98837.

ARTICLE II
DEFINITION/CONSTRUCTION

Unless the context clearly requires otherwise, all words or terms used in these Bylaws which are given special meaning or definition in the Washington Nonprofit Corporation Act, RCW Ch. 24.03 ("the Act"), have the same meaning and usage as contained in the Act. These Bylaws shall be interpreted in accordance with the provisions of the Act and/or the general law of the State of Washington. To the extent that any provision of these Bylaws conflicts with the Act or the general law of the State of Washington, such offending provision shall be deemed amended to conform therewith.

ARTICLE III
PURPOSE

3.1 Purposes. The purposes for which this Corporation is formed and shall conduct its affairs are as follows:

- 3.1.1 To operate exclusively for charitable, educational and scientific purposes, within the meaning of ' 501(c)(3) of the Internal Revenue Code of 1986 ("Code"), as amended or hereafter recodified (" ' 501(c)(3)"), including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under ' 501(c)(3).

3.1.2 To the extent not inconsistent with the foregoing, to act and to engage in any other business, trade or activity which may lawfully be conducted by a Washington nonprofit corporation pursuant to the Act.

A. To increase business activity and capital investment, extend employment opportunities, retain current employment opportunities and enhance the overall economy of Grant County, Washington, by encouraging working towards cooperation and communication in economic development activities with the following objectives:

- i. To insure that adequate industrial facilities are available to meet the needs of existing and potential manufacturers.
- ii. To develop new markets for area products and services.
- iii. To insure the availability of investment capital.
- iv. To bring the public and private sectors together to develop and implement an action plan or local economic development.
- v. To diversify the regions economic base; to reduce its vulnerability to economic declines and to encourage the development of new high growth industries.
- vi. To assist private-for-profit businesses in expanding and in improving their economic viability.
- vii. To create a favorable climate for business development in the region.

B. To provide education and employment training opportunities to residents of Grant County, Washington with the following objectives:

- i. To monitor area needs and services on an ongoing basis.
- ii. To coordinate work-force education, employment and training services in Grant County, Washington.
- iii. To develop work-force education and training programs which enable the areas labor force to take

full advantage of employment opportunities within Grant County, Washington.

- iv. To encourage the utilization of and participation in Grant County, Washington's employment services.
- C. To reduce the cost and improve the quality of governmental services with the following objectives:
- i. To enhance public education of local government processes and services;
 - ii. To reduce the cost of governmental services to the public.
 - iii. To provide an adequate and equitable funding base for local governmental operations.
 - iv. To enhance public participation in local problem solving.
 - v. To improve the process of local government decision-making.
 - vi. To encourage the development of healthy local economies through long-range community planning.
 - vii. To assist member organizations in securing state and federal assistance to address economic development and public works needs that cannot be met with local funds.
- D. To promote Grant County as a whole with the following objectives:
- i. To encourage inter-governmental cooperation.
 - ii. To provide a forum for the regular exchange of ideas.
 - iii. To market the economic potentials of Grant County, Washington.
 - iv. To maintain a Grant County data bank.

- v. To represent regional interests at the state, interstate and national levels.
 - vi. To conduct and coordinate regional planning efforts.
 - vii. To promote an awareness of CEDA as a resource for regional development.
- E. To cooperate with all levels of government - local, state and federal - and with all interested private individuals and legal entities in the furthering of all such purposes; to accept and use any federal or state aid funds available and any private funds which may be made available to the corporation for its uses and purposes; to make all necessary studies and surveys, to borrow money; to buy, sell, hold, acquire, own, mortgage, hypothecate, transfer, lease, exchange, trade or otherwise to acquire or dispose of real or personal property; to exercise these powers commonly exercised by natural persons and to do all acts or things useful or incidental to the purposes for which this corporation is constituted.

ARTICLE IV **MEMBERSHIP**

4.1 Membership. Active Membership in this Corporation shall be individuals or entities doing business in Grant County desirous of furthering the objects and purposes of this Corporation. These individuals or entities must also contribute monetarily by payment of dues or provision of in kind services and meet any additional requirements contained in the Bylaws or as determined by resolution of the Board of Directors ("Board").

4.2 Dues/In Kind.

4.2.1 Membership Dues. Membership dues shall be determined by the Board at its annual meeting. Initial dues shall be paid within thirty (30) days of becoming a Member. Annual dues shall be paid on or before the Membership anniversary date of each Member. The Board reserves the option to waive the initial dues. The Treasurer shall notify Members whose dues are sixty (60) days in arrears, and those Members whose dues are not paid within thirty (30) days after such notice will not be in "good standing" and may be dropped from Membership, by action of the Board.

4.2.2 In Kind Services. In the discretion of the Board, certain Members may be permitted to provide in kind services, such as accounting or legal services, in lieu of payment of Membership dues.

4.3 Certificates of Membership. Certificates of Membership may be issued. If issued, certificates shall be numbered, and the name of each Member shall be entered in the Membership register as the certificates are issued. The form of the certificates shall be approved by the Board and certificates shall exhibit the Member's name and be signed by the President and the Secretary.

4.4 Status of Membership. Membership is personal, does not survive the death of any individual Member, or dissolution or liquidation of an entity Member, and may not be transferred by any means.

ARTICLE V

MEETINGS OF MEMBERSHIP

5.1 Annual Meeting. An annual Membership meeting shall be held in February of each and every year at such date and time and at such location as is designated by the Board for the purpose of electing Directors and transacting such other business as may come before the meeting. If the election of Directors is not held on the day designated for the annual Membership meeting, or at any adjournment thereof, the election shall be held at a special Membership meeting called as soon thereafter as practicable.

5.2 Special Meetings. The President at the request of twenty-five percent (25%) of the Members or the Board may call special Membership meetings for any purpose. All special meetings shall be held at the office of this Corporation unless another location is designated in the notice of meeting.

5.3 Notice of Meeting. Written or printed notice stating the place, day and hour of the annual meeting and, in case of a special meeting, the day, hour, place and purpose or purposes for which the meeting is called, shall be delivered not less than ten (10) nor more than fifty (50) days before the date of the meeting, either personally or by mail, to each Member entitled to vote at such meeting. If mailed, notice is deemed to be delivered when deposited in the United States mail addressed to the Member at the Member's address as it appears in the records of this Corporation, with postage prepaid.

5.4 Voting. Each Member in good standing is entitled to one (1) vote on each matter submitted to a vote at a Membership meeting. Except as provided with regard to the election of Directors in section 6.3.4, a majority vote of the Members present at a meeting at which a quorum exists (or existed prior to withdrawal) shall decide any issue submitted to the vote of the Members.

5.5 Quorum. Twenty percent (20%) of the Members entitled to vote represented in person or by proxy shall constitute a quorum at all Membership meetings for the transaction of any business. The Members present at a duly organized meeting at which a quorum is initially present may continue to transact business until adjournment, notwithstanding the withdrawal of Members leaving less than a quorum.

5.6 Proxies. At all Membership meetings, a Member may vote by written proxy dated and signed by the Member or by the Member's authorized attorney-in-fact. Such proxy (including the Member's executed power of attorney, if applicable) shall be filed with the Secretary before the meeting is called to order. Unless otherwise provided in the proxy, a proxy shall be invalid thirty (30) days after the date of its execution. No proxy shall be valid for more than eleven (11) months after the date of its execution.

5.7 Waiver of Notice. Whenever any notice is required to be given to any Member under the provisions of the Act, the Articles of Incorporation ("Articles"), or these Bylaws, a waiver thereof in writing signed by the Member entitled to such notice, whether before or after the time stated therein, is equivalent to the giving of such notice.

5.8 Order of Business. The order of business at the annual Membership meeting and, as far as applicable, at all other Membership or Board meetings is as follows:

- a. Calling of the role and certifying proxies;
- b. Proof of notice of meeting or waiver;
- c. Acknowledging that a quorum does or does not exist;
- d. Reading and accepting, amending or rejecting the minutes of prior meeting;
- e. Election of Directors;
- f. Old business;
- g. Unfinished business;
- h. New business; and,
- i. Adjournment.

5.9 Adjournment. Any Membership meeting may be adjourned from time to time to such place and time as may be determined by a majority vote of the Members present, whether a quorum be present or not, without notice other than the announcement at the meeting. At any reconvened meeting at which a quorum is present, any business may be transacted which might have been transacted at the adjourned meeting.

5.10 Minutes. Minutes shall be kept at all Membership meetings of all acts and discussions during the meetings in books maintained for that purpose and retained in the office of this Corporation.

ARTICLE VI **DIRECTORS**

6.1 General Powers. The business and affairs of this Corporation shall be managed by the Board.

6.2 Number, Tenure and Qualifications. The Board is composed of twenty-one (21) Directors who must be individual Members or representatives of entity Members. The number of Directors may be changed from time to time by amendment to these Bylaws, but no decrease shall have the effect of shortening the term of any incumbent Director. Each Director shall hold office for a three (3) year term and until his/her successor is elected and qualified, except in the case of earlier death, resignation or removal. No Member shall serve as a Director for more than two (2) consecutive elected terms; provided that elected terms shall not include any period when a Director was appointed to fill an unexpired term. Previous Directors shall be eligible to serve again as Directors after a waiting period of at least one (1) year. The Directors are classified by positions one (1) through twenty-one (21). Positions one (1) through fourteen (14) are reserved for Members who represent private business enterprises located within Grant County (private sector Members) and shall preferably be the Chairman, CEO, President or high executive of such business. Positions fifteen (15) through twenty-one (21) may be filled by representatives of governmental units, organized labor and education organizations which are Members.

6.3 Selection of Directors.

6.3.1 Nominating Committee: Annually, not less than sixty (60) days prior to the annual Membership meeting, the Executive Committee (hereinafter defined) shall appoint a Nominating Committee consisting of five (5) Directors. Not less than forty (40) days prior to the annual Membership meeting, the Nominating Committee shall file with the Secretary the names of candidates for the Board positions that are to be filled at the annual Membership meeting.

6.3.2 Notice: Within ten (10) days after the Secretary's receipt of the nominations of the Nominating Committee, the Secretary shall include the names of those nominated and the petition procedures for additional nominations as set forth in section 6.3.3 below in the Notice of the annual meeting.

6.3.3 Other Nominations: Any fifteen (15) Members may also nominate one or more candidates by filing a petition listing their nominee(s) with the Secretary no later than fifteen (15) days after the notice from the Secretary containing the list of nominees submitted by the Nominating Committee. No nomination will be accepted from the floor at the election.

6.3.4 Election Procedure: The Secretary shall, after the deadline for submission of petitions, and prior to the annual Membership meeting, cause a ballot to be prepared setting forth the names of all persons nominated for election to the Board. The election shall be held at the annual Membership meeting. No quorum of Members shall be required in order to hold the election. The election shall be chaired by the President. The election shall be by voice vote (or other method of voting as selected by the President) of the Members in good standing present at the meeting. The nominees receiving the largest number of votes shall be declared elected and they shall take office effective immediately. The Secretary shall publicize the election results to the Board, Members and public forthwith.

6.4 Annual Meeting The annual Board Meeting will be held in February, in conjunction with the regular Board meeting. Should a quorum not be satisfied; the annual Board Meeting will be held in conjunction with the annual Membership meeting.

6.5 Regular Meetings. The Board shall convene regular meetings monthly on the third Wednesday of every calendar month at 7:00 a.m. at such place as the Board may determine by resolution. By resolution, the Board may change the date, time and place of regular Board meetings and provide a date, time and place for holding additional regular meetings without notice other than such resolutions. At all regular meetings, the Board may undertake all acts authorized or permitted by these Bylaws, the Articles or the Act.

6.6 Special Meetings. Special Board meetings may be called by or at the request of the President or Vice-President, any six (6) Directors, or twenty-five percent (25%) of the Members.

6.7 Notice. Written notice of each special Board meeting shall be delivered personally or mailed to each Director at least seven (7) days before the meeting. If such notice is mailed, it is deemed to be delivered when deposited in the United States mail properly addressed, with postage prepaid. The attendance of a Director at a special meeting shall constitute a waiver of notice of such meeting, except where a Director attends a special meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened; provided that any Director though objecting who thereafter participates in any business conducted at such meeting is deemed to have waived such objection. Unless required by other provisions of these Bylaws, the Articles or the Act, neither the business to be transacted, nor the purpose of any regular or special Board meeting need be specified in the notice or waiver of notice of such meeting.

6.8 Proxies At the Annual Board Meeting; a director may vote by written proxy dated and signed by the director or the director's authorized Attorney-In-Fact. Such Proxy (including the members executed Power of Attorney, if applicable) shall be filed with the secretary before the meeting is called to order. Unless otherwise provided in the proxy. A proxy shall invalid thirty (30) days after date of execution. No proxy shall be valid more than eleven (11) months after the date of execution.

6.9 Action by Communication Equipment. Members of the Board or any Committee appointed by the Board may participate in the meeting of such Board or Committee by means of a

conference phone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time, and participation by such means will constitute presence, in person, at a meeting.

6.10 Manner of Acting. Each Director is entitled to one (1) vote on each issue addressed at Board meetings. Except as provided with respect to filling a vacancy on the Board in section 6.12, the act of the majority of the Directors present at a meeting at which a quorum is present (or if a quorum was present initially and Directors withdraw leaving less than a quorum) is the act of the Board.

6.11 Removal. A Director may be removed from the Board as follows:

6.11.1 After three (3) absences from regular Board meetings within any twelve (12) month period, by a majority vote of the Board, excluding the Director sought to be removed, without notice, at any regular Board meeting.

6.11.2 By a two-thirds (2/3) vote of the Board, excluding the Director sought to be removed, whenever in the opinion of the Board the best interests of this Corporation would be served by such removal; provided that any such removal shall only be undertaken following notice at a special meeting called for that purpose.

6.12 Vacancies. Any vacancy occurring on the Board may be filled by the affirmative vote of a majority of the Directors present at any regular Board meeting or special Board meeting called for that purpose, though less than a quorum. A Director appointed to fill a vacancy shall serve for the unexpired term of his/her predecessor in office and until his/her successor is elected and qualified. Any directorship to be filled by reason of an increase in the number of Directors shall be filled by election at an annual meeting or at a special Membership meeting called for that purpose.

6.13 Presumption of Assent. A Director present at a Board meeting at which action on a corporate matter is taken is presumed to have assented to the action taken unless his/her dissent is entered in the minutes of the meeting, or he/she files a written dissent to such action with the person acting as secretary of the meeting before the adjournment thereof, or he/she forwards such dissent by certified U.S. mail, return receipt requested, to the Secretary within one (1) day after the adjournment of the meeting. A Director who votes in favor of such action may not dissent.

6.14 Action by Directors Without a Meeting. Any action required or permitted to be taken at a Board meeting may be taken without a meeting if a written consent setting forth the action taken or to be taken is signed by each Director. Any such written consent shall be inserted in the minute book as if it were the minutes of a Board meeting. Further, such consent has the same force and effect as a unanimous vote, and may be stated as such in any documents filed for the public record.

6.15 Waiver of Notice. Whenever any notice is required to be given to any Director under the provisions of these Bylaws, the Articles or the Act, a waiver thereof in writing signed by the Di-

rector entitled to such notice, whether before or after the time stated therein, is equivalent to the giving of such notice.

6.16 Minutes. Minutes shall be kept at all Board meetings of all acts and discussions during the meetings in books maintained for that purpose and retained in the office of this Corporation.

6.17 Salaries. The Directors shall act without pay or compensation. They may, however, be paid or reimbursed by this Corporation for their actual expenses incurred on behalf of this Corporation by authorization or ratification of the Board.

6.18 Ex-Officio Members. The President has the authority to appoint Ex-Officio Members to the Board (Ex-Officio Directors), for a term of one (1) year coinciding with the term of the President. No Ex-Officio Director shall be appointed for more than three (3) consecutive terms. Ex-Officio Directors are eligible to serve on all Committees and task forces and be active in all aspects of Corporate activities. Ex-Officio Directors have full voting rights on all Committees and task forces on which they are serving, but are not eligible to vote or to make motions on matters brought before the Board. Each Ex-Officio Director must be either an individual Member or representative of an entity Member.

ARTICLE VII

EXECUTIVE COMMITTEE

7.1 Executive Committee. There shall be an Executive Committee of the Board comprised of seven (7) Directors, who shall consist of the President, the Vice-President, the Secretary, the Treasurer, the Immediate Past President and not more than two (2) additional Directors appointed by the President (at-large positions).

7.2 Authority. The Executive Committee shall review all activities of this Corporation and acts of the Board and Committees, make recommendations for actions to be taken by this Corporation to the Board, shall prepare and propose an annual budget for adoption by the Board and shall review and approve all non-budgeted expenditures. In addition, the Executive Committee shall have the authority to undertake all acts that may be hereafter authorized in these Bylaws.

7.3 Vacancies. Vacancies on the Executive Committee shall be filled by the President.

7.4 Meetings. The Executive Committee shall meet monthly on the second Wednesday of every calendar month at 7:00 a.m. at such place as the Executive Committee may determine. By resolution, the Executive Committee may change the date, time and place of the meetings. Minutes of the Executive Committee meetings shall be kept by the Secretary or, if absent, by such person designated by the President and maintained in books kept for that purpose and retained in the office of this Corporation.

7.5 Quorum. Five members of the Executive Committee shall constitute a quorum for the transaction of business.

7.6 Voting. Each member of the Executive Committee shall have one (1) vote on each issue addressed at Executive Committee meetings. The act of a majority of the Executive Committee members present at a meeting at which a quorum is present is the act of the Executive Committee.

ARTICLE VIII **OFFICERS**

8.1 Number. The Officers shall be a President, one or more Vice-Presidents, a Secretary and a Treasurer, each of whom is elected by the Board. The immediate past President is also an Officer of this Corporation. Each Officer must be a Director. The President and a Vice-President may not both be public sector Members.

8.2 Election and Term of Office. The Officers shall be elected by the Board at each annual meeting. If the election of Officers is not held at such meeting, the election shall be held as soon thereafter as is convenient. Each Officer shall hold office until the next annual meeting and until his/her successor shall have been elected and qualified, unless he/she dies, resigns or is removed. No Officer is eligible to serve more than three (3) consecutive terms in the same office.

8.3 Nomination of Officers. The President shall, no less than ten (10) days prior to the annual Board meeting, appoint a Nominating Committee to nominate Officers for election and report to the Board at its annual meeting. Since Officers must be Directors, no Director entering the third year of his/her second elected term may be considered for election as an Officer. Officers may be elected from those nominated by the Nominating Committee, or from those nominated from the floor by Directors.

8.4 Removal. Any Officer may be removed by the Board by a majority vote with or without cause at any time, but such removal is without prejudice to the contract rights, if any, of the person so removed. Election of an Officer does not of itself create contract rights.

8.5 Vacancies. A vacancy in any office caused by death, resignation, removal or otherwise, may be filled by the Board for the unexpired portion of the term.

8.6 President. The President shall be a Director. The President is the chief executive officer and, subject to the Board's control, shall supervise all of the business and affairs of this Corporation. The President shall preside over all Board, Executive Committee and Membership meetings. With the Secretary or other Officer authorized by the Board, the President may sign all contracts and other instruments that the Board has authorized to be executed, except when the signing and execution thereof has been expressly delegated by the Board or by these Bylaws exclusively to the President or to some other Officer or agent of this Corporation or is required by law to be otherwise signed or executed by some other Officer or in some other manner. In general,

the President shall perform all duties customarily incident to the office of a President and such other duties as may be prescribed by the Board from time to time.

8.7 Vice-President(s). A Vice-President shall be a Director. In the absence of the President, or the President's inability or refusal to act, or in the event of the death of the President, the Vice-President (or in the event of more than one Vice-President, the Vice-President who was first elected to such office and is designated as First Vice-President) shall perform the duties of the President, and when so acting, has all the powers of and is subject to all the restrictions upon the President. Vice-Presidents shall perform such other duties as from time to time may be assigned to them by the President or by the Board.

8.8 Immediate Past President. The Immediate Past-President remains an officer of the Executive Committee. The Immediate Past president also serves as the Compliance Officer with responsibility for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Past President will advise the Executive Committee and the Board of Directors of all complaints and their resolution. They will report at least annually to the Executive Committee on compliance activity relating to accounting or alleged financial improprieties.

8.9 Secretary. The Secretary shall: (a) keep the minutes of Membership, Executive Committee and Board meetings; (b) see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; (c) be custodian of the corporate records; (d) keep a register of the post office address of each Member as furnished to the Secretary by each Member; (e) have general charge of the Membership and minute books of this Corporation; and (f) perform all duties customarily incident to the office of a Secretary and such other duties as from time to time may be assigned to the Secretary by the President or the Board.

8.10 Treasurer. The Treasurer shall have charge and custody of and be responsible for all funds and securities of this Corporation; receive and give receipts for monies due and payable to this Corporation from any source whatsoever, and deposit all such monies in the name of this Corporation in such banks, trust companies or other depositaries as shall be selected in accordance with the provisions of these Bylaws and in general perform all of the duties customarily incident to the office of a Treasurer and such other duties as from time to time may be assigned to the Treasurer by the President or by the Board. If required by the Board, the Treasurer shall give a bond for the faithful discharge of the duties of the Treasurer in such sum and with such surety or sureties as the Board shall determine.

8.11 Salaries. The Officers shall not receive salaries unless otherwise provided by the Board. They may, however, be paid or reimbursed by this Corporation for their actual expenses incurred on behalf of this Corporation by authorization or ratification of the Board.

ARTICLE IX **COMMITTEES**

9.1 Committees Authorized. The Board, by resolution, may designate and appoint

committees, including Standing and Standing-Sub Committees (hereinafter defined), each of which shall consist of one (1) (or more) Director. No Committee shall have the authority of the Board in reference to amending the Articles of these Bylaws, adopting a plan of merger or consolidation, recommending to the Members the sale, lease, exchange or other disposition of all or substantially all of the property and assets of this Corporation other than in the usual and regular course of its business, or recommending to the Members a voluntary dissolution of this Corporation. The creation and existence of any Standing-Sub Committee and the delegation of authority thereto shall not operate to relieve the Board or any Director of any responsibility imposed by these Bylaws or the Articles.

9.2 Standing and Standing-Sub Committees The Board shall have three (3) permanent standing committees. They will be Administrative and Budget, Membership, and Fundraising. The President or Vice President may elect to use any/or all of the (4) Standing-Sub Committees during any give year. They will be: Community Development, Energy & Public Education, Industrial Infrastructure, Advertising and Marketing Strategy. Unless otherwise designated in these Bylaws each Standing or Standing-Sub Committee chair has the authority to appoint other Directors to serve on the Committee. Standing Committees and Standing-Sub Committees shall report to the Executive Committee. Subject to the provisions by these Bylaws and the Act, each Standing Committee and Standing-Sub Committee shall develop operating policies and procedures which are subject to the approval of the Executive Committee. The purpose of each Standing Committee and Standing-Sub Committee may change upon the recommendation of the Executive Committee and approval of the Board.

9.3 Current Standing Committees and Duties

9.3.1 Administrative/Budget: The Chairman of this Committee shall be the Treasurer. Standing committee members will include the President and the immediate Past President. This Committee has oversight responsibility in the areas of strategic planning, internal operations, personnel, budget development and the monitoring of finances, which shall include the following:

- Plan and conduct at least one retreat annually of the Executive Committee and Committee Chairs for the purpose of reviewing the organization's vision, mission, major objectives and strategic plan to achieve the objectives.
- Insure the integrity of financial systems, insurance coverage, contracts, use of corporate equipment and vehicles and employee benefits.
- Perform annual Executive Director performance appraisal and review staff performance appraisals.
- Monitor and recommend changes to administrative procedures, personnel policies and Bylaws.

- Review the activities of this Corporation to insure compliance with these Bylaws.

9.3.2 Membership: This Committee shall:

- Review and approve new Membership recruitment plans, documents and campaigns.
- Recruit New Members.
- Monitor existing Membership renewals. If Membership renewals are not meeting expectations, conduct survey of non-renewing Members.
- Develop new and coordinate existing Membership information newsletters or other documents.
- Plan and conduct annual Membership meeting/banquet.

9.3.3 Fundraising: This Committee shall:

- Identify and plan fundraising opportunities for the purpose of financially supporting identified projects.

9.4 Current Standing and Standing-Sub Committees and Duties

9.4.1 Community Development: This Committee shall:

- Identify quality of life issues affecting economic development such as adequate housing, schools, recreational opportunities, healthcare, commercial air service, public transportation and public safety for each community in Grant County and recommend how this Corporation can assist in the resolution of identified problems.

9.4.2 Energy and Public Education: This Committee shall:

- Identify energy issues (electricity, fiber optics, fossil fuels, renewable energy) facing existing business and industry, including farming.
- Monitor impacts of current and proposed governmental regulations on existing energy supplies.
- Identify energy requirement of “target” industries.

- Explore opportunities/technology available to reduce energy consumption for existing and new industry.
- Review the comprehensive energy delivery system's capacity and comment on expansion plans.
- Recommend how this Corporation can assist the resolution of energy issues.
- Conduct public education forums on issues impacting economic development.

9.4.3 Industrial Infrastructure: This Committee shall:

- Identify infrastructure concerns of existing industries.
- Monitor impacts of current and proposed governmental regulations on existing infrastructure.
- Identify infrastructure requirements of "target" industries.
- Explore opportunities/technology applications to reduce infrastructure requirements for existing and new industry.
- Review the comprehensive infrastructure capacity and comment on expansion plans.

9.4.4 Advertising – Marketing Strategy: This Committee shall:

- Identify "target" business and industry of each community in Grant County.
- Develop a joint marketing campaign of the Grant County communities listing similar "target" businesses and industries.
- Develop marketing materials such as brochures, videos, advertising copy, etc.
- Recommend attendance at appropriate trade shows, expositions and other marketing oriented events.
- Monitor existing industry for business expansion and retention opportunities.

ARTICLE X
EXECUTIVE DIRECTOR

10.1 The Executive Committee shall employ an Executive Director. The Executive Director is the principal administrative officer of this Corporation, has charge of the day-to-day management of the property, business and affairs of this Corporation and shall perform such other functions and duties as may be assigned by the Executive Committee.

10.2 The compensation and benefits of the Executive Director shall be determined by the Executive Committee.

ARTICLE XI
CONTRACTS, LOANS, CHECKS AND DEPOSITS

11.1 Contracts. The Board may authorize any Officer to enter into any contract or execute and deliver any instrument in the name of and on behalf of this Corporation, and such authority may be general or confined to specific instances.

11.2 Loans. No loans shall be contracted on behalf of this Corporation and no evidence of indebtedness may be issued in its name unless authorized, in advance, by the Board.

11.3 Loans to Officers and Directors. No loans shall be made by this Corporation to its Members, Officers or Directors.

11.4 Checks, Drafts, Etc.. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of this Corporation, shall be signed by such Officer or authorized agent and in such manner as is determined by the Executive Committee.

11.5 Deposits. All funds of this Corporation not otherwise employed shall be deposited from time to time to the credit of this Corporation in such banks, trust companies or other depositaries as is determined by the Executive Committee.

ARTICLE XII
FISCAL YEAR

The fiscal year of this Corporation is the calendar year.

ARTICLE XIII
LIMITATION OF LIABILITY

No Director or Officer is liable for acts, defaults or omission of such Director or Officer or of any other Director or Officer or for any liability, damage or loss sustained by this Corporation or any Member or Director, unless the same was proximately caused by or resulting from the willful misconduct or gross negligence of such Director or Officer.

ARTICLE XIV

INDEMNIFICATION

15.1 Each Director or Officer now or hereafter serving this Corporation and each person who at the request of and on behalf of this Corporation is now serving or hereafter serves as a Director or Officer of any other corporation, whether for profit or not for profit, and his/her respective heirs, executors and personal representatives, shall be indemnified by this Corporation against expenses actually and necessarily incurred by him/her in connection with the defense of any action, suit or proceeding in which he/she is made a party by reason of being or having been such Director or Officer, except in relation to matters as to which he/she shall be adjudged in such action, suit or proceeding to be liable for gross negligence or willful misconduct in the performance of his/her duties; but such indemnification shall not be deemed exclusive of any other right to which such person may be entitled under these Bylaws, the Act or any agreement, vote of the Board, Executive Committee, Members or otherwise; provided that there shall be no indemnification of any Officer or Director under circumstances where indemnification would be contrary to the Act.

15.2 The indemnification provisions as set forth in section 15.1 is in addition to and not in limitation of all other rights to which such person may be entitled as a matter of law and shall inure to the benefit of the legal representatives or assigns of such person.

ARTICLE XV

LIMITATION ON AUTHORITY

No Officer or Director shall use his/her authority as an Officer or Director as a means of furthering any personal, political or other aspirations, nor shall this Corporation as a whole take part in any activity or movement not in keeping with its real and established objects and purposes as set forth in the Articles, these Bylaws or any strategic plan, mission statement or other promulgation of the Board. Further, no Officer or Director shall take part in any act or transaction which would disqualify this Corporation as tax-exempt under ' 501(c)(3).

ARTICLE XVI

AMENDMENT OF BYLAWS

These Bylaws or any provision hereof may be altered, amended or repealed and new Bylaws may be adopted by the Board at any regular meeting or special meeting called for that purpose.

ARTICLE XVII

BOOKS AND RECORDS

This Corporation shall keep current and complete books and records of account and shall keep minutes of the proceedings of its Members, the Board and Committees; and shall keep at its office a register of the names and addresses of its Members. All books and records of this Corporation may be inspected by any Member whose dues are not in arrears, or his/her agent or attorney, for any proper purpose at any reasonable time and at his/her expense.

ARTICLE XVIII
RULES OF PROCEDURE

The rules of procedure at all Membership, Board and Committee meetings are the rules contained in Roberts' Rules of Order on Parliamentary Procedure, duly revised, so far as applicable and when not inconsistent with these Bylaws, the Articles or with any resolution of the Board.

Secretary

ATTEST:

President

CERTIFICATION

As the duly elected and qualified Secretary of the Grant County Economic Development Council, I hereby certify that the above is a true and correct copy of the Third Amendment to Amended and Restated Bylaws of the Grant County Economic Development Council adopted by the Board of Directors on June 17, 2009, which amend and restate in its entirety the Bylaws of the Grant County Economic Development Council adopted by the Board of Directors on February 15, 1995, including all amendments thereof.

Date

Secretary



CITY OF MOSES LAKE STAFF REPORT

To: John Williams, City Manager
From: Gary Harer, Municipal Services Director
Date: January 26, 2016
Proceeding Type: Motion
Subject: Request to Connect to City Sewer - Nakonechnyy

Legislative History:

- | | |
|--|--------|
| <ul style="list-style-type: none">• First Presentation:• Second presentation:• Action: | Motion |
|--|--------|

Staff Report Summary

Mr. Nakonechnyy requests to connect to the city's sewer system to serve a house he plans to construct at 9126 Space Street. The city's sewer system has the capacity to serve his new house. This property is within one-half mile of the city limits and in the UGA. In accordance with Resolution 3509, Section 5, the City Council must determine that it is impractical for the property owner to annex his property before approving this request. The council may find it impractical since it would require annexing additional parcels and the road right-of-way. If approved, the property owner will be required to sign an extraterritorial agreement before a permit is issued for connecting to the city sewer.

Background

The City Council has approved connections along Space Street without requiring annexation provided the property owner signs an extra territorial agreement.

Fiscal and Policy Implications

None

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Approve the request</i>• 	The owner will connect to the city sewer system
<ul style="list-style-type: none">• <i>Take no action.</i>	The property owner will install a septic tank

Staff Recommendation

Staff recommends the Council approve Mr. Nakonechnyy's request to connect to the city's sewer system without annexing and require Mr. Nakonechnyy to sign an extra territorial agreement before a construction permit is issued.

Attachments

A.	Site Map
----	----------

Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none">• None		

09-025

09-026

09-027

10-061

10-067

ROAD 4.8
10-070

10-069

10-072

10-073

Space Street

City Limits

Grape Drive

10-074

10-075

10-076

10-068

MAPLE DR

10-071

10-065

Maple Drive

10-077

KELLY PL



CITY OF MOSES LAKE
STAFF REPORT

To: John Williams, City Manager
From: Gilbert Alvarado, Community Development Director
Date: January 26, 2016
Proceeding Type: MOTION
Subject: Platting Deemed Insufficient – 621 Ewing Place

Legislative History:

• First Presentation:	
• Second presentation:	
• Action:	Motion

Staff Report Summary

Fabian Pimentel submitted a building permit application for Lot 35, Block 1, Lakeview Terrace #2, 621 Ewing Place, which is a legally platted parcel. At the time the property was platted, the development did not require municipal improvements that are now required with current plats. Municipal improvements could include the extension or provision of City water, sewer, storm sewer, curb, sidewalks, street or other provisions.

Background

A building permit cannot be issued for this property unless the property is brought into conformance with the standards of our current plat improvements or the City Council grants a waiver, deferral, or deviation from the requirements to install the deficient plat improvements. The applicant has chosen to request a deferral from the requirement to install improvements pursuant to MLMC 16.02.110 B.

Fiscal and Policy Implications

If the building permit application is denied the fiscal implication will be the loss of increased property value. Property valuation is key factor and contributor to the city's revenues.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Approve request and issue Building Permit</i>	Property improvements resulting in increased valuation
<ul style="list-style-type: none">• <i>Deny request and issue the Building Permit with municipal improvements required</i>	Hardship on the property owner

Staff Recommendation

Staff recommends that City Council approve the request and require a covenant for future improvements.

Attachments

A.	Building Permit Application
B.	Maps

Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none">• Not Applicable		

RECEIVED
COMMUNITY DEVELOPMENT



DEC 02 2015

CITY OF MOSES LAKE
Community Development
321 S Balsam St
Moses Lake, WA 98837
(509) 764-3756
(509) 764-3758 Fax

FOR STAFF USE

Permit Number: 8015-0435

Application Date: 12/4/15

Staff Representative: CMR

BUILDING PERMIT APPLICATION

Street Address: 621 Ewing Pl.

Assessor's Tax Parcel Number(s): 101053000

Legal Description/Subdivision Name: Lot 35 Block 1 Lakeview Terrace #2

Project Description: Closet.

Building Permit	Change in Use	Grading	Manufactured Home Permit		
Relocation	Sign	Tenant (New/Change)	Other		
Lot Area:	Zoning:	Corner Lot?:			
Setbacks	Front:	Rear:	Left:	Right:	Exterior Side:
					(Corner Lots)

OWNER/APPLICANT INFORMATION

Indicate who should be contacted regarding this project

Owner:	Phone: <u>509-855-1567</u>	Applicant:	Phone: <u>509-855-1567</u>
<u>Fabian Pimentel</u>	Fax:	<u>Fabian Pimentel</u>	Fax:
Mailing Address:		Mailing Address:	
<u>621 Ewing Pl.</u>		<u>621 Ewing Pl.</u>	
City, State, Zip		City, State, Zip	
<u>Moses lake wa.</u>		<u>Moses lake wa.</u>	
Contractor:	Phone:	Architect/Engineer:	Phone:
<u>Self</u>	Fax:		Fax:
Mailing Address:		Mailing Address:	
City, State, Zip		City, State, Zip	
WA State Contractor License#	City Business License #	Cost of Project:	<u>4,000</u>
Expiration date:		Contact Name:	<u>Fabian Pimentel</u>
		Contact E-Mail:	

Building Information

Occupancy Group	Construction Type	Dimensions	Building height to peak
# of stories	Main floor sq ft	<u>10' X 14'</u>	Unfinished basement sq ft
Garage sq ft	Deck sq ft	Covered Porch sq ft	Heat Source
		<u>440</u>	

Are there structures on the property? <i>If yes, identify on site plan.</i>	Yes No	What is the current property size? (square feet or acres)
What is the current use of this property?		Will the site be served by a septic system? Yes No
Is any part of the property within a 100 yr flood plain? <i>If yes, identify on site plan</i>	Maybe Don't know Yes No	Are or will there be wells located on the property? <i>If yes, identify on the site plan</i>
Are there any wetlands, streams or ponds within 200 feet of the property? <i>If yes, identify on site plan</i>	Yes No	Is there evidence of fill or excavation on the property? Yes No
Are there slopes greater than 30% on the property? (30 ft rise in 100ft $\frac{\quad}{\quad}\%$)	Yes No	Are critical or hazardous materials used or stored on site? Yes No
Manufactured Home		Sign
Width:	Length:	What is the square footage of the sign face?
Year:	Make:	# of signs
		Area of existing signs
		Facade height: Facade width:
		USE SEPARATE SHEET FOR MULTIPLE SIGN INFORMATION

MECHANICAL

Base Permit Fee: \$23.50

(Please indicated the number of units where applicable.)

AC/Heat Pump: (\$10.50) _____	Gas Outlets: (1-5 \$5.00) _____
Furnace: (\$10.50) _____	Gas Fireplace: (\$10.50) _____
Exhaust Fans: (\$10.50) _____	Evaporative Cooler: (10.50) _____
Unit Heater: (\$10.50) _____	Exhaust Hood: (\$10.50) _____ (Commercial)
Wood Stove/Insert: (\$10.50) _____	Other: _____

PLUMBING

Base Permit Fee: \$20.00

(Please indicated the number of units where applicable.)

\$7.00 for each fixture	Sewer: (\$15.00) _____
Kitchen Sink: _____	Water Service: _____
Dishwasher: _____	Irrigation System: _____
Clothes Washer: _____	Floor Drain: _____
Laundry Tray: _____	Floor Sink: _____
Lavatory (hand sink): _____	Back Water Valve: (sewer): _____
Water Closet (toilet): _____	Back Flow Device/Double Check: _____
Bathtub/Shower: _____	Grease Interceptor: _____
Shower (separate) _____	Other: _____
Water Heater: _____	

NOTICE: Separate permits and approvals may be required for this project. Every permit issued by the Administrative Authority under the provisions of the Moses Lake Municipal Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Issuance of a permit does not authorize any work in public right-of-way or on utility easements. All provisions of laws and ordinances governing the type of project shall be complied with whether specified herein or not. The granting of a permit or an approval does not presume to give authority to violate or cancel the provisions of an other federal, state or local laws regulating construction, the performance of construction, and/or operation of the project. I hereby certify that as a contractor I am currently registered and properly licensed as defined in RCW 18.27 or as a property owner I am exempt from the requirements of the contractor registration and will do all my own work or use properly licensed subcontractors in connection with the work to be performed under this permit. I hereby certify that I have read and examined this application and know the same to be true and correct, and if any of the information provided is incorrect, the permit or approval may be revoked.

Fabian Pimentel
PRINT NAME

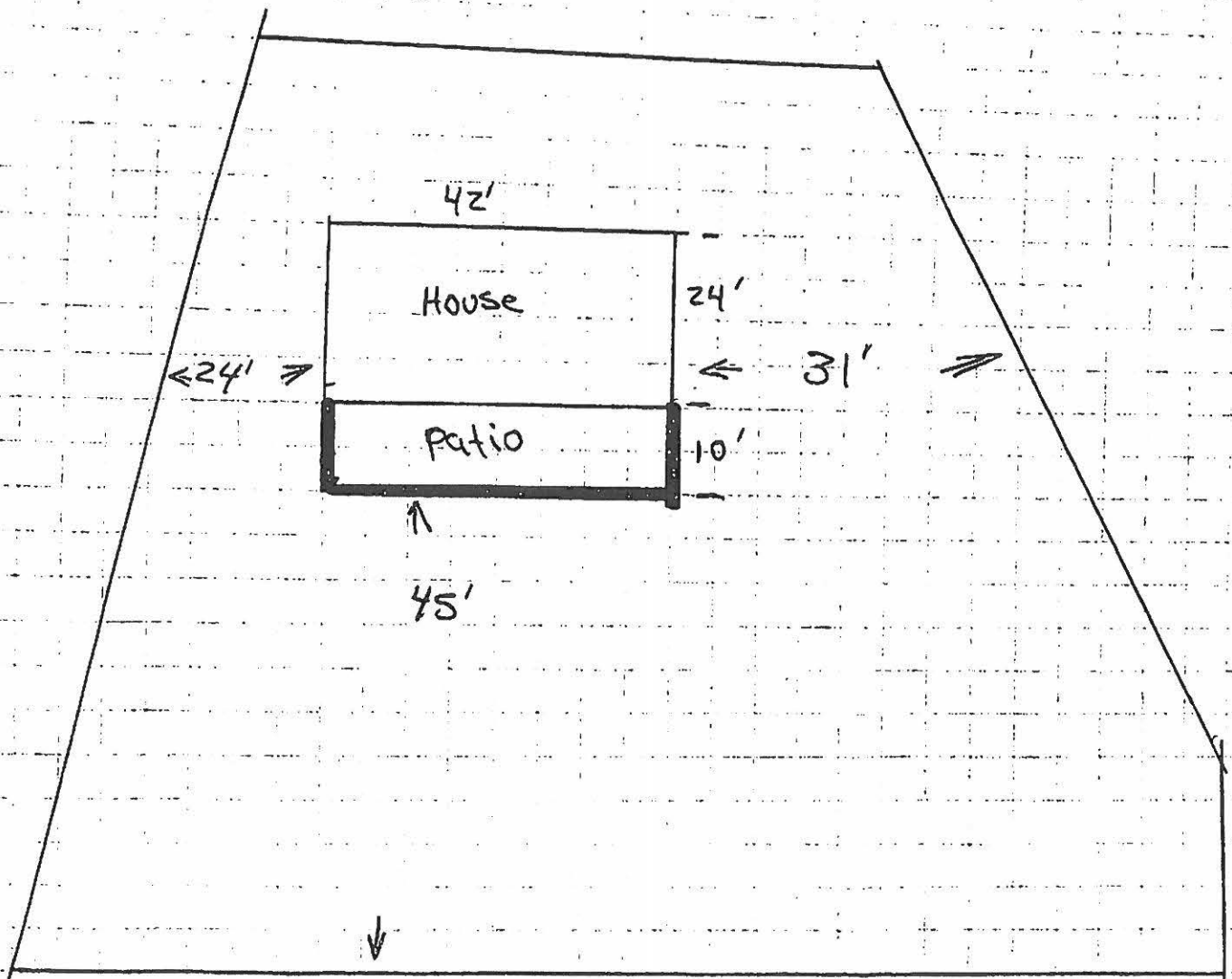
[Signature]
SIGNATURE OF OWNER/AUTHORIZED AGENT

12-02-15.
DATE

Routed <u>12415</u>
<div style="display: flex; justify-content: space-around;"> <div> MSD ENG FIRE </div> <div> WATER BLDG PLAN </div> </div>

APPROVED FOR CITY OF MOSES LAKE

By RK Inspector Date 10.1.10





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community



CITY OF MOSES LAKE STAFF REPORT

To: John Williams, City Manager
From: Gilbert Alvarado, Community Development Director
Date: January 26, 2016
Proceeding Type: MOTION
Subject: Platting Deemed Insufficient - 721 S. Ironwood

Legislative History:

• First Presentation:	
• Second presentation:	
• Action:	Motion

Staff Report Summary

Michael Fabian submitted a building permit application for Lot 4, Northlake Terrace Addition #3, 721 S Ironwood, which is a legally platted parcel. At the time the property was platted, the development did not require municipal improvements that are now required with current plats. Municipal improvements could include the extension or provision of City water, sewer, storm sewer, curb, sidewalks, street or other provisions.

Background

A building permit cannot be issued for this property unless the property is brought into conformance with the standards of our current plat improvements or the City Council grants a waiver, deferral, or deviation from the requirements to install the deficient plat improvements.

Fiscal and Policy Implications

If the request is denied and building permit is not issued the fiscal implication will be the loss of increased property value. Property valuation is key factor and contributor to the city's revenues.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Approve Request and Issue Building Permit</i>	Property improvements resulting in increased valuation
<ul style="list-style-type: none">• <i>Deny request and issue Building Permit with municipal improvements required</i>	Hardship on the property owner

Staff Recommendation

Staff recommends that City Council approve the request and require a covenant for future improvements.

Attachments

A.	Building Permit Application
B.	Maps

Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none">• No Applicable		

RECEIVED

COMMUNITY DEVELOPMENT

CITY OF MOSES LAKE

DEC 29 2015

Community Development

321 S Balsam St

Moses Lake, WA 98837

(509) 764-3756

(509) 764-3758 Fax



FOR STAFF USE

Permit Number: 2015-0461

Application Date: 12-29-15

Staff Representative: CPB

BUILDING PERMIT APPLICATION

Street Address: 721 S. IRONWOOD MOSES LAKE WA 98837

Assessor's Tax Parcel Number(s): 110561000

Legal Description/Subdivision Name: Lot 4 North Tervall Add #3

Project Description: HOUSE FIRE DAMAGED HALF OF PROPERTY BUILDING
NEW FOUNDATION, EXAMINING, TRUSSES

Building Permit <input checked="" type="checkbox"/>	Change In Use	Grading	Manufactured Home Permit
Relocation	Sign	Tenant (New/Change)	Other

Lot Area: 7200 Zoning: R-1 Corner Lot?: NO

Setbacks	Front:	Rear:	Left:	Right:	Exterior Side:
	25'	25'	5'	5'	N/A (Corner Lots)

OWNER/APPLICANT INFORMATION

Indicate who should be contacted regarding this project

Owner: FABIAN MICHAEL	Phone: (509) 760-5196	Applicant: ADRIAN CORNEJO	Phone: (509) 765-4138 x109
Fax:		Fax: (CORNEJO MANAGER)	

Mailing Address: 721 S. IRONWOOD	Mailing Address: 6446 RD 3
City, State, Zip: MOSES LAKE WA 98837	City, State, Zip: MOSES LAKE WA 98837

Contractor: JRCC	Phone: (509) 765-4138	Architect/Engineer: JASON ERIKSON	Phone: (208) 661-0890
Fax:		Fax:	

Mailing Address: 6446 RD 3	Mailing Address:
City, State, Zip: MOSES LAKE WA 98837	City, State, Zip:

WA State Contractor License#	City Business License #	Cost -& Contact: \$230,000	\$190,000
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Expiration date:

Contact Name: ADRIAN CORNEJO	Contact E-Mail: ADRIAN@JRCCONLINE.COM
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Building Information

Occupancy Group	Construction Type: WOOD	Dimensions: 42' x 21'8"	Building height to peak
# of stories: 1	Main floor sq ft	2nd floor sq ft	Unfinished basement sq ft
Garage sq ft	Deck sq ft	Covered Porch sq ft	Heat Source: BASEBOARD HEATERS

Are there structures on the property? <i>If yes, identify on site plan.</i>	Yes No	What is the current property size? (square feet or acres)
What is the current use of this property?		Will the site be served by a septic system? Yes No
Is any part of the property within a 100 yr flood plain? <i>If yes, identify on site plan</i> Maybe Don't know Yes No		Are or will there be wells located on the property? <i>If yes, identify on the site plan</i> Yes No
Are there any wetlands, streams or ponds within 200 feet of the property? <i>If yes, identify on site plan</i> Yes No		Is there evidence of fill or excavation on the property? Yes No
Are there slopes greater than 30% on the property? (30 ft rise in 100ft %) Yes No		Are critical or hazardous materials used or stored on site? Yes No

Manufactured Home		Sign	
Width:	Length:	What is the square footage of the sign face?	How tall is the sign?
Year:	Make:	# of signs	Area of existing signs
		Facade height: Facade width:	USE SEPARATE SHEET FOR MULTIPLE SIGN INFORMATION

MECHANICAL

Base Permit Fee: \$23.50 (Please indicated the number of units where applicable.)

AC/Heat Pump: (\$10.50) _____	Gas Outlets: (1-5 \$5.00) _____
Furnace: (\$10.50) _____	Gas Fireplace: (\$10.50) _____
Exhaust Fans: (\$10.50) <u>2</u>	Evaporative Cooler: (10.50) _____
Unit Heater: (\$10.50) _____	Exhaust Hood: (\$10.50) _____ (Commercial)
Wood Stove/Insert: (\$10.50) _____	Other: _____

PLUMBING

Base Permit Fee: \$20.00 (Please indicated the number of units where applicable.)

\$7.00 for each fixture	Sewer: (\$15.00) _____
Kitchen Sink: _____	Water Service: _____
Dishwasher: _____	Irrigation System: _____
Clothes Washer: _____	Floor Drain: _____
Laundry Tray: _____	Floor Sink: _____
Lavatory (hand sink): _____	Back Water Valve: (sewer): _____
Water Closet (toilet): _____	Back Flow Device/Double Check: _____
Bathtub/Shower: _____	Grease Interceptor: _____
Shower (separate) _____	Other: _____
Water Heater: _____	

NOTICE: Separate permits and approvals may be required for this project. Every permit issued by the Administrative Authority under the provisions of the Moses Lake Municipal Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Issuance of a permit does not authorize any work in public right-of-way or on utility easements. All provisions of laws and ordinances governing the type of project shall be complied with whether specified herein or not. The granting of a permit or an approval does not presume to give authority to violate or cancel the provisions of an other federal, state or local laws regulating construction, the performance of construction, and/or operation of the project. I hereby certify that as a contractor I am currently registered and properly licensed as defined in RCW 18.27 or as a property owner I am exempt from the requirements of the contractor registration and will do all my own work or use properly licensed subcontractors in connection with the work to be performed under this permit. I hereby certify that I have read and examined this application and know the same to be true and correct, and if any of the information provided is incorrect, the permit or approval may be revoked.

ADRIAN CORREJO
PRINT NAME
PM
SIGNATURE OF OWNER/AUTHORIZED AGENT

12/29/15
DATE

Routed <u>1-5-16</u>	
MSD	WATER
ENG	BLDG
FIRE	<u>PLAN</u>

LOT #4 NORTH TERRACE ADD #3

721 S IRONWOOD DR.

UTILITY

RECEIVED
COMMUNITY DEVELOPMENT

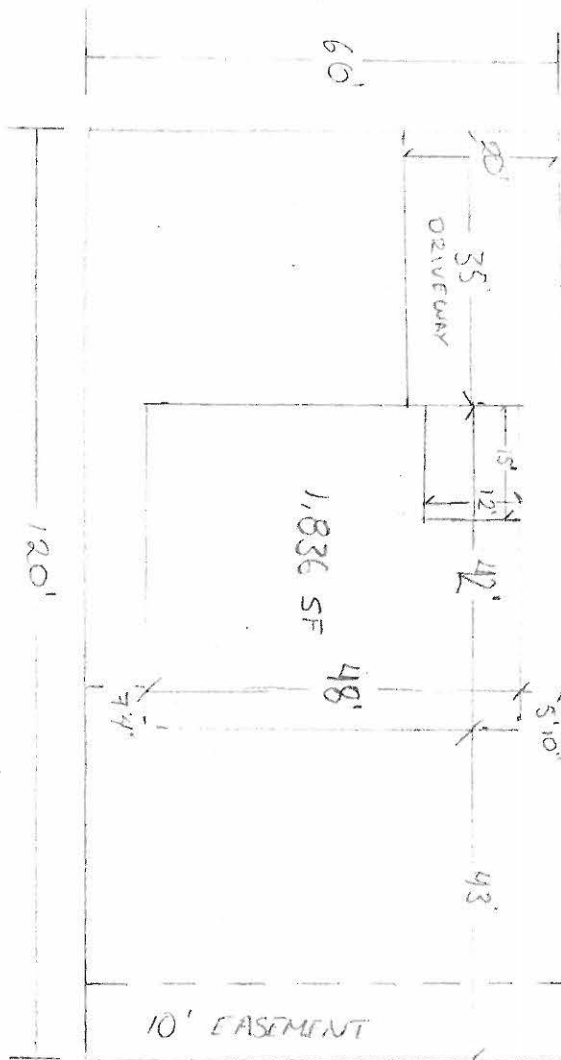
JAN 5 2016

PLANNING AND BUILDING
CITY OF MOSES LAKE



E LARK ST.

E PLUM ST



LOT 3

SCALE

1" = 20 FEET

S HAWTHORNE DR

**Parcels**

Parcel 110561000
Owner Fabian, Michael A & Jessica
Address 721 S IRONWOOD DR